CONSTITVTIONS AND CANONS

Eccleſiaſticall,

Treated vpon by the Biſhop of *London*, Preſident of the Conuocation for the *Prouince of Canterbury, and the reſt of* the Biſhops and Clergie of the ſaid Prouince:

And agreed vpon with the Kings Maieſties Licence in their Synode begun at London Anno Dom. 1603. And in the yeere of the raigne of our Soueraigne Lord IAMES by the grace of God King of England, France and Ireland the firſt, and of Scotland the 37.

And now publiſhed for the due obſeruation of them by his Maieſties authoritie, vnder the great Seale of ENGLAND.

IMPRINTED AT LONDON by *Robert Barker*, Printer to the Kings moſt Excellent Maieſtie.

ANNO 1604.

CONSTITUTIONS
AND CANONS
Ecclesiastical,

Treated upon by the Bishop of Ely, Dean of the Convocation for the Province of Canterbury, and the rest of the Clergy there present in the Year of our Lord 1640.

And agreed upon with the Kings Majesties Licence in their Synode begun at London Anno Domini 1640.

Published for the Edification of the People, and Execution of Justice.

IMPRINTED, AT LONDON
by Robert Barker, Printer to the Kings most Excellent Majestie.
Anno 1640.

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IAMES

IAMES by the *grace of God King of* England, Scotland, France *and* Ireland, *defender of the faith, &c. To all to whom these presents shall come, Greeting. Whereas our Bishops,*

Deanes of our Cathedrall Churches, Archdeacons, Chapters and Colleges, and the other Cleargie of euery Dioceſſe within the Prouince of Canterbury, *being ſummoned and called by vertue of our Writ directed to the moſt reuerend father in God* IOHN *late Archbiſhop of* Canterbury, *and bearing date the* 31. *day of Ianuary in the firſt yeere of our Raigne of* England, France *and* Ireland, *and of* Scotland *the* 37. *to haue appeared before him in our Cathedrall Church of Saint* Paul *in London the* 20. *day of March then next enſuing, or elſewhere, as he ſhould haue thought it moſt conuenient, to treat, conſent, and conclude vpon certaine difficult, and vrgent affaires mentioned in the ſaid Writte, Did thereupon at the time appointed, and*

within

within the Cathedrall Church of Saint Paul aforesaid, assemble themselues and appeare in Conuocation for that purpose, according to our said Writte, before the Right reuerend Father in God Richard Bishop of London, duely (vpon a second Writte of Ours dated the 9. day of March aforesaid) authorized, appointed and constituted, by reason of the saide Archbishop of Canterbury his death, President of the said Conuocation, to execute those things which by vertue of our first Writ did appertaine to him the said Archbishop to haue executed if he had liued: Wee for diuers vrgent and weighty causes and considerations vs thereunto especially mouing, of our especial grace, certaine knowledge, and meere motion, did by vertue of our Prerogatiue royal

and ſupreme Authority in cauſes Eccleſiaſticall, giue and grant by our ſeuerall Letters Patents vnder our great Seale of England, the one dated the 12. day of April laſt paſt, and the other the 25. day of June then next following, full, free, and lawfull libertie, licence, power, and Authoritie vnto the ſaid Biſhop of London Preſident of the ſaid Conuocation, and to the other Biſhops, Deanes, Archdeacons, Chapters and Colleges, and the reſt of the Cleargie before mentioned of the ſaide Prouince, That they from time to time during our firſt Parliament now prorogued, might conferre, treate, debate, conſider, conſult, and agree of, and vpon ſuch Canons, Orders, Ordinances and Conſtitutions, as they ſhould thinke neceſſary, fit, and conuenient for the honour

nour and ſeruice of Almighty God, the good and quiet of the Church, and the better gouernement thereof to be from time to time obſerued, performed, fulfilled and kept aſwel by the Archbiſhops of Canterbury, the Biſhops & their Succeſſours, and the reſt of the whole Clergie of the ſayd Prouince of Canterbury in their ſeuerall Callings, Offices, Functions, Miniſteries, Degrees and adminiſtrations, as alſo by all and euery Deane of the Arches, and other Iudge of the ſayd Archbiſhops Courts, Gardians of Spiritualties, Chancellors, Deanes and Chapters, Archdeacons, Commiſſaries, Officials, Regiſters, and all and euery other Eccleſiaſticall Officers, and their inferiour Miniſters whatſoeuer of the ſame Prouince of Canterburie in their and euery of

their distinct Courts, and in the order and maner of their and euery of their proceedings: and by all other persons within this Realme, as farre as lawfully being members of the Church, it may concerne them, as in our sayd Letters Patents amongst other clauses more at large doth appeare. Forasmuch as the sayd Bishop of London, President of the sayd Conuocation, and others the sayd Bishops, Deanes, Archdeacons, Chapters and Colledges, with the rest of the Clergie hauing met together at the time and place before mentioned, and then and there by vertue of our said authority granted vnto them, treated of, concluded, and agreed vpon certaine Canons, Orders, Ordinances and Constitutions, to the end and purpose by Vs limited and prescribed vnto them,

and

and haue thereupon offred and preſented the ſame vnto Vs, moſt humbly deſiring Vs to giue our Royal aſſent vnto their ſayd Canons, Orders, Ordinances, and Conſtitutions, according to the forme of a certaine Statute or Acte of Parliament made in that behalfe in the xxv. yeere of the Reigne of King HENRY *the eight, and by our ſayd Prerogatiue Royall, and ſupreme Authority in cauſes Eccleſiaſticall, to ratifie by our Letters Patents vnder our great Seale of* England, *and to confirme the ſame: the title and tenour of them being word for word as enſueth:*

Conſtitutions

and have thereupon offered and prefen-
ted the same unto Us, most humbly de-
firing Us to give our Royal assent unto
their said Canon, Orders, Ordinan-
ces, and Constitutions, according to the
Forme of a certaine Statute or Acte of
Parliament made in that behalfe in
the xxv. yeere of the Reigne of King
HENRY the eight, and by our Lay
Prerogative Royall, and Imperiall Au-
thority in causes Ecclesiasticall, to ratifi-
fie by our Letters Patents under our
great Seale of England, and to con-
firme the same: the tenor of
them being word for word as enserth:

Constitutions

Constitutions and Canons Ecclesiastical treated vpon by the Bishop of *London*, President of the Conuocation for the Prouince of Canterbury, and the rest of the Bishoppes and Cleargie of the said Prouince: and agreed vpon with the Kings Maiesties licence in their Synode begunne at London An. Dom. 1603.

And in the yeere of the Raigne of our Soueraigne Lord IAMES by the grace of God, King of England, France, and Ireland the first, and of Scotland the 37.

Of the Church of England.

I.

The Kings supremacie ouer the Church of England, in causes Ecclesiasticall to be maintained.

AS our dutie to the Kings most Excellent Maiestie requireth, wee first decree and ordeine, That the Archbishop of Canterburie (from time to time) all Bishops of this Prouince, all Deanes, Archdeacons, Parsons, Vicars,

vicars, and al other Ecclesiastical persons, shall faithfully keepe and obserue, and (as much as in them lieth) shall cause to be obserued and kept of others, all and singular Lawes and Statutes made for restoring to the Crowne of this Kingdome, the ancient Jurisdiction ouer the state Ecclesiasticall, and abolishing of all forrein power repugnant to the same. Furthermore, all Ecclesiasticall persons hauing cure of soules, and all other Preachers, and Readers of Diuinitie Lectures, shall to the vttermost of their wit, knowledge, and learning, purely and sincerely (without any colour or dissimulation) teach, manifest, open, and declare foure times euery yeere (at the least) in their Sermons and other Collations and Lectures, That all vsurped and forrein power, (forasmuch as the same hath no establishment nor ground by the Lawe of God) is for most iust causes taken away and abolished: and that therefore no manner of obedience, or subiection within his Maiesties Realmes and Dominions, is due vnto any such forrein power: but that the Kings power within his Realmes of England, Scotland and Ireland, and all other his Dominions and Countreyes, is the highest power vnder God, to whome all men, aswell inhabitants, as borne within

the

the same, do by Gods Lawes owe most loyaltie and obedience, afore and aboue all other Powers and Potentates in earth.

II.

Impugners of the Kings Supremacie censured.

WHosoeuer shal hereafter affirme that the Kings Maiestie hath not the same authority in causes Ecclesiastical that the godly Kings had amongst the Iewes and Christian Emperours in the Primitiue Church, or impeach in any part his Regall Supremacie in the said causes restored to the Crowne and by the Lawes of this Realme therein established: let him be Excommunicated ipso facto, and not restored, but onely by the Archbishop, after his repentance and publike reuocation of those his wicked errours.

III.

The Church of England a true and Apostolicall Church.

WHosoeuer shal hereafter affirme that the Church of England by Lawe established vnder the Kings Maiestie, is not a true and an Apostolicall Church, teaching

ching and maintaining the doctrine of the Apostles: let him be excommunicated ipso facto, and not restored, but onely by the Archbishop after his repentance and publike reuocation of this his wicked errour.

IIII.

Impugners of the publicke worship of God established in the Church of England, censured.

WHosoeuer shall hereafter affirme, That the forme of Gods worship in the Church of England, established by law, and conteined in the Booke of Common prayer and administration of Sacraments, is a corrupt, superstitious, or vnlawfull worship of God, or conteineth any thing in it that is repugnant to the Scriptures, let him be excommunicated Ipso facto, and not restored but by the Bishop of the place, or Archbishop, after his repentaunce and publike reuocation of such his wicked errors.

V.

Impugners of the Articles of Religion established in the Church of England, censured.

WHosoeuer shall hereafter affirme, That any of the nine and thirtie Articles

ticles agreed vpon by the Archbishops and Bishoppes of both Prouinces, and the whole Clergie in the Conuocation, holden at London in the yeere of our Lorde God one thousand fiue hundreth fifty two, for the auoiding diuersities of opinions, and for the establishing of Consent touching true Religion, are in any part superstitious or erroneous, or such as hee may not with a good conscience subscribe vnto: let him be Excommunicated Ipso facto, and not restored, but onely by the Archbishop after his repentance and publike reuocation of such his wicked errors.

VI.

Impugners of the Rites and Ceremonies established in the Church of England, censured.

WHosoeuer shall hereafter affirme, That the Rites and Ceremonies of the Church of England by law established, are wicked, Antichristian, or superstitious, or such as beeing commaunded by lawfull Authoritie, men who are zealously and godly affected, may not with any good conscience approoue them, vse them, or as occasion requireth, subscribe vnto them: let him be excommunicated Ipso facto, and not

restored vntill he repent and publikely reuoke such his wicked errors.

VII.

Impugners of the gouernment of the Church of England by Archbishops, Bishops, &c. censured.

WHosoeuer shall hereafter affirme, That the gouernment of the Church of England vnder his Maiestie by Archbishops, Bishops, Deanes, Archdeacons, and the rest that beare office in the same, is Antichristian or repugnant to the word of God: let him be excommunicated Ipso facto, and so continue vntill he repent and publikely reuoke such his wicked errors.

VIII.

Impugners of the forme of consecrating and ordering Archbishops, Bishops, &c. in the Church of England, censured.

WHosoeuer shall hereafter affirme or teach, That the fourme and maner of making & consecrating Bishops, Priests, and Deacons, conteineth any thing in it, that is repugnant to the word of God: or

that

that they who are made Bishops, Priests, or Deacons in that forme are not lawfully made, nor ought to be accompted either by themselues or by others, to be truely either Bishops, Priests, or Deacons, vntill they haue some other calling to those diuine Offices: let him be excommunicated Ipso facto, not to be restored vntill he repent and publikely renoke such his wicked errors.

IX.

Authors of Schisme in the Church of England, censured.

WHosoeuer shall hereafter separate themselues from the Communion of Saints as it is approoued by the Apostles rules in the Church of England, and combine themselues together in a new brotherhood, accompting the Christians who are conformable to the doctrine, gouernement, Rites, & Ceremonies of the Church of England, to be prophane and vnmeet for them to ioyne with in Christian profession: let them be excommunicated Ipso facto, and not restored, but by the Archbishop, after their repentance and publike reuocation of such their wicked errors.

Maintai-

X.

Maintainers of Schismatickes in the Church of England, censured.

WHosoeuer shall hereafter affirme, That such Ministers as refuse to subscribe to the forme and manner of Gods worship in the Church of England prescribed in the Communion Booke, and their adherents, may truely take vnto them the name of another Church not established by Law, and dare presume to publish it, That this their pretended Church hath of long time groaned vnder the burthen of certaine greeuances imposed vpon it, and vpon the members thereof before mentioned by the Church of England, and the Orders and Constitutions therein by Law established: let them be excommunicated, and not restored vntill they repent and publikely reuoke such their wicked errors.

XI.

Maintainers of Conuenticles, censured.

WHosoeuer shall hereafter affirme or maintaine, that there are within this Realme other meetings, Assemblies or Congregations, of the Kings borne Subiects,

lects, then such as by the Lawes of this Land are holde and allowed, which may rightly challenge to themselues the name of true and lawfull Churches: Let him bee Excommunicated and not restored, but by the Archbishop after his repentance and publike reuocation of such his wicked errours.

XII.

Maintainers of Constitutions made in Conuenticles, censured.

WHosoeuer shal hereafter affirme that it is lawful for any sort of Ministers and Lay Persons, or of either of them to ioyne together, and make Rules, Orders, or Constitutions in causes Ecclesiasticall without the Kings Authoritie, and shall submit themselues to bee ruled and gouerned by them: Let them be Excommunicated Ipso facto, and not be restored vntill they repent, and publikely reuoke those their wicked and Anabaptisticall errours.

Of diuine Seruice, and *administration of the Sacraments.*

XIII.

Due celebration of Sundayes and Holy dayes.

ALl maner of persons within the Church of England shall from henceforth celebrate and keepe the Lordes day, commonly called Sunday, and other Holy dayes according to Gods holy will and pleasure, and the Orders of the Church of England prescribed in that behalfe: that is, in hearing the word of God read and taught, in priuate and publike prayers: in acknowledging their offences to God, and amendement of the same, in reconciling themselues charitably to their neighbours where displeasure hath beene, in often times receiuing the Communion of the Body and Blood of Christ, in visiting of the poore and sicke, vsing all godly and sober conuersation.

The

XIIII.

The preſcript forme of Diuine Seruice to bee vſed on Sundayes and Holy dayes.

THe Common Prayer ſhalbe ſaid or ſung diſtinctly and reuerently vpon ſuch dayes as are appointed to bee kept holy by the Booke of Common prayer, and their Eues, and at conuenient and vſuall times of thoſe dayes, and in ſuch place of euery Church as the Biſhop of the Dioceſſe or Eccleſiaſtical Ordinary of the place ſhal thinke meete for the largeneſſe or ſtraitneſſe of the ſame, ſo as the people may be moſt edified. All Miniſters likewiſe ſhal obſerue the Orders, Rites, and Ceremonies preſcribed in the Booke of Common prayer, aſwell in reading the holy Scriptures and ſaying of prayers, as in adminiſtration of the Sacraments, without either diminiſhing in regard of preaching, or in any other reſpect, or adding any thing in the matter or fourme thereof.

XV.

The Letany to be read on Wedneſdayes and Fridayes.

THe Letany ſhall be ſayd or ſung when, and as it is ſet downe in the Booke of

Common prayer, by the Parsons, Vicars, Ministers, or Curates in all Cathedrall, Collegiat, parish Churches and Chappels, in some conuenient place, according to the discretion of the Bishop of the Diocesse, or Ecclesiasticall Ordinary of the place. And that we may speake more particularly, vpon Wednesdayes and Fridayes weekely, though they be not Holy dayes, the Minister at the accustomed houres of Seruice shall resort to the Church and Chappel, and warning being giuen to the people by tolling of a Bell, shall say the Letany prescribed in the Booke of Common prayer: wherunto we wish euery housholder dwelling within halfe a mile of the Church, to come or send one at the least of his household fit to ioyne with the Minister in prayers.

XVI.

Colledges to vse the prescript forme of Diuine Seruice.

IN the whole Diuine Seruice, and administration of the holy Communion, in all Colledges and Halles in both Vniuersities, the Order, Forme, and Ceremonies shall be duely obserued as they are set down and prescribed in the Booke of Common prayer, without any omission or alteration.

Students

XVII.

Students in Colledges to weare Surplisses, in time of Diuine Seruice.

ALl Maisters and Fellowes of Colledges or Halles, and all the Schollers and Students in either of the Vniuersities, shall in their Churches and Chappels vpon all Sundayes, Holy dayes, and their Eues, at the time of Diuine Seruice weare Surplisses according to the order of the Church of England: and such as are Graduats shal agreeably weare with their Surplisses, such hoods as doe seuerally appertaine vnto their degrees.

XVIII.

A reuerence and attention to bee vsed within the Church in time of Diuine Seruice.

IN the time of Diuine Seruice, and of euery part thereof, all due reuerence is to be vsed. For it is according to the Apostles rule: Let all things bee done decently, and according to order. Answerable to which decencie and order, we iudge these our directions following: No man shall couer his head in the Church or Chappell in the time

of Diuine Seruice, except he haue some infirmitie. In which case let him weare a Nightcap or Coife. All manner of persons then present shall reuerently kneele vpon their knees when the generall Confession, Letany, and other prayers are read, and shall stand vp at the saying of the beleefe, according to the rules in that behalfe prescribed in the booke of Common prayer. And likewise when in time of Diuine Seruice the Lord Iesus shal be mentioned, due and lowly reuerence shall be done by all persons present as it hath been accustomed: testifying by these outward Ceremonies and gestures, their inward humilitie, Christian resolution, and due acknowledgment that the Lord Iesus Christ, the true and eternall sonne of God, is the onely Sauiour of the world, in whom alone all the mercies, graces, and promises of God to mankinde for this life and the life to come are fully and wholly comprised. None, either man, woman, or childe, of what calling soeuer, shall bee otherwise at such times busied in the Church, then in quiet attendance to heare, marke, and vnderstand that which is read, preached, or ministred; saying in their due places audibly with the Minister, the Confession, the Lords prayer, & the Creede, and making such other answeres to the

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publike prayers as are appointed in the Booke of Common prayer: neither ſhall they diſturbe the Seruice or Sermon by walking or talking, or any other way, nor depart out of the Church during the time of Seruice and Sermon, without ſome vrgent or reaſonable cauſe.

XIX.

Loyterers not to bee ſuffered neere the Church in time of Diuine Seruice.

THe Churchwardens or Queſtmen, and their aſſiſtants, ſhall not ſuffer any idle perſons to abide either in the Churchyarde or Church porch, during the time of Diuine Seruice or preaching: but ſhall cauſe them either to come in, or to depart.

XX.

Bread and wine to bee prouided againſt euery Communion.

THe Churchwardens of euery Pariſh againſt the time of euery Communion, ſhall at the charge of the Pariſh, with the aduice and direction of the Miniſter, prouide a ſufficient quantity of fine white Bread, and of good and wholeſome Wine for the number of Communicants that ſhal

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from time to time receiue there: which wine we require to be brought to the Communion Table in a cleane and swecte standing Pot or Stoope of pewter, if not of purer mettall.

XXI.

The Communion to bee thrice a yeere receiued.

IN euery Parish Church and Chappell where Sacraments are to be administred within this Realme, the holy Communion shall be ministred by the Parson, Vicar, or Minister, so often, and at such times as euery Parishioner may communicate at the least thrice in the yeere (whereof the Feast of Easter to be one) according as they are appointed by the booke of Common prayer. Prouided, That euery Minister as oft as he administreth the Communion, shall first receiue that Sacrament himselfe. Furthermore no Bread or Wine newly brought shal be vsed: but first the words of Institution shall be rehearsed when the sayd Bread and Wine bee present vpon the Communion Table. Likewise the Minister shall deliuer both the Bread and the Wine to euery Communicant seuerally.

Warning

XXII.

Warning to bee giuen beforehand for the Communion.

WHereas euery Lay perſon is bound to receiue the holy Communion thrice euery yeere, and many notwithſtanding doe not receiue that Sacrament once in a yeere: wee doe require euery Miniſter to giue warning to his Pariſhioners publikely in the Church at Morning prayer the Sunday before euery time of his adminiſtring that holy Sacrament, for their better preparation of themſelues: which ſaid warning, we enioyne the ſaid Pariſhioners to accept and obey vnder the penaltie and danger of the Law.

XXIII.

Students in Colledges to receiue the Communion foure times a yeere.

IN all Colledges and Halles within both the Vniuerſities, the Maſters and Fellowes, ſuch eſpecially as haue any Pupils, ſhall bee carefull that all their ſaid Pupils and the reſt that remaine amongſt them be well brought vp and throughly inſtructed in points of Religion, and that they doe di-

ligently frequent publike Seruice & Sermons, and receiue the holy Communion: which wee ordaine to be adminiſtred in all ſuch Colledges and Halles the firſt or ſecond Sunday of euery Moneth, Requiring all the ſaid Maſters, Fellowes, and Schollers, and all the reſt of the Students, Officers, and all other the ſeruants there ſo to be ordered, that euery one of them ſhall communicate foure times in the yeare at the leaſt, kneeling reuerently & decently vpon their knees, according to the order of the Communion booke preſcribed in that behalfe.

XXIIII.

Copes to be worne in Cathedral Churches by thoſe that Adminiſter the Communion.

IN all Cathedrall and Collegiate Churches, the holy Communion ſhall be adminiſtred vpon principall Feaſt dayes, ſometimes by the Biſhop if hee be preſent, and ſometimes by the Deane: and at ſometimes by a Canon or Prebendary, the principall Miniſter vſing a decent Coape, and being aſſiſted with the Goſpeller and Epiſtler agreeably, according to the aduertiſements publiſhed Ann. 7. Elizabethæ: the ſaid Commu-

Communion to bee Administred at such times and with such limitation, as is specified in the Booke of Common Prayer. Prouided, that no such limitation by any construction shalbe allowed of, but that all Deanes, Wardens, Masters, or Heads of Cathedrall and Collegiate Churches, Prebendaries, Canons, Vicars, Pettycanons, Singing men, and all others of the Foundation, shall receiue the Communion foure times yeerely at the least.

XXV.

Surplisses and Hoods to bee worne in Cathedrall Churches when there is no Communion.

IN the time of Diuine Seruice and Prayers in all Cathedrall and Collegiate Churches, when there is no Communion, it shall be sufficient to weare Surplisses: sauing that all Deanes, Masters and Heads of Collegiate Churches, Canons and Prebendaries being Graduats, shall dayly at the times both of Prayer and preaching, weare with their Surplisses, such Hoods as are agreeable to their degrees.

XXVI.

Notorious offendours not to be admitted to the Communion.

NO Minister shall in any wise admit to the receiuing of the holy Communion, any of his Cure or Flocke which be openly knowen to liue in sinne notorious without repentance, Nor any who haue maliciously and openly contended with their neighbours, vntill they shall bereconciled: Nor any Churchwardens or Sidemen, who hauing taken their oathes to present to their Ordinaries all such publike offences, as they are particularly charged to inquire of in their seueral Parishes, shal (notwithstanding their sayd oathes, and that their faithfull discharging of them, is the chiefe meanes whereby publike sinnes and offences may bee reformed and punished) wittingly & willingly, desperately and irreligiously incurre the horrible crime of Periury, either in neglecting or in refusing to present such of the said enormities, and publike offences, as they know themselues to be committed in their said Parishes, or are notoriously offensiue to the Congregation there: although they bee brged by some of their neighbours, or by their Minister, or by their Ordinary himselfe, to discharge

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their conſciences by preſenting of them, and not to incurre ſo deſperately the ſayde horrible ſinne of Periurie.

XXVII.

Schiſmaticks not to be admitted to the Communion.

NO Miniſter when hee celebrateth the Communion, ſhall wittingly adminiſter the ſame to any, but to ſuch as kneele, vnder paine of ſuſpenſion, nor vnder the like paine to any that refuſe to be preſent at publike Prayers, according to the Orders of the Church of England, nor to any that are common and notorious deprauers of the Booke of Common Prayer, and adminiſtration of the Sacraments, and of the Orders, Rites, and Ceremonies therein preſcribed, or of any thing that is conteined in any of the Articles agreed vpon in the Conuocation, one thouſand fiue hundred ſirtie and two, or of any thing conteined in the Booke of ordering Prieſts and Biſhops, or to any that haue ſpoken againſt and depraued his Maieſties ſoueraigne Authoritie in cauſes Eccleſiaſticall: Except euery ſuch perſon ſhall firſt acknowledge to the Miniſter before the Churchwardens, his repentance for the ſame, and promiſe by

word (if he cannot write) that hee will doe so no more: and except (if he can write) hee shall first doe the same vnder his hand writing, to be deliuered to the Minister, and by him sent to the Bishop of the Diocelle, or Ordinarie of the place. Prouided that euery Minister so repelling any (as is specified either in this or in the next precedent Constitution) shall vpon complaint, or being required by the Ordinary, signifie the cause thereof vnto him, and therein obey his order and direction.

XXVIII.

Strangers not to be admitted to the Communion.

THe Churchwardens or Questmen, and their Assistants, shall marke as well as the Minister, whether all and euery of the Parishioners, come so often euery yeere to the holy Communion as the Lawes and our Constitutions doe require: And whether any Strangers come often and commonly from other parishes to their Church, and shall shew their Minister of them, lest perhaps they be admitted to the Lords Table amongst others, which they shall forbid, and remit such home to their owne Parish Churches and Ministers, there to receiue

receiue the Communion with the reſt of their owne neighbours.

XXIX.

Fathers not to bee Godfathers in Baptiſme, nor children not Communicants.

NO Parent ſhall be vrged to bee preſent, nor bee admitted to anſwere as Godfather for his owne child: nor any Godfather or Godmother ſhall be ſuffered to make any other anſwere or ſpeech, then by the Booke of Common prayer is preſcribed in in that behalfe. Neither ſhall any perſon bee admitted Godfather or Godmother to any child at Chriſtning or Confirmation, before the ſaid perſon ſo vndertaking hath receiued the holy Communion.

XXX.

The lawfull vſe of the Croſſe in Baptiſme explaned.

WE are ſorie that his Maieſties moſt Princely care and paines taken in the Conference at Hampton Court, amongſt many other points, touching this one of the Croſſe in Baptiſme, hath taken no better effect with many, but that ſtill the

the vse of it in Baptisme is so greatly stucke at and impugned. For the further declaration therefore of the true vse of this Ceremonie, and for the remouing of all such scruple as might any wayes trouble the consciences of them who are indeede rightly religious, following the royall steps of our most worthy King, because hee therein followeth the rules of the Scriptures, and the practise of the Primitiue Church: wee do commend to all the true members of the Church of England, these our directions and obseruations ensuing.

First, it is to be obserued, that although the Iewes and Ethnicks derided both the Apostles, and the rest of the Christians for preaching and beleeuing in him who was crucified vpon the Crosse: yet all both Apostles and Christians were so farre from being discouraged from their profession by the ignominie of the Crosse, as they rather reioyced and triumphed in it. Yea, the holy Ghost by the mouthes of the Apostles did honour the name of the Crosse (being hatefull among the Iewes) so farre, that vnder it, he comprehended not onely Christ crucified, but the force, effects, and merits of his Death and Passion, with all the comforts, fruits, and promises which wee receiue or expect thereby.

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Secondly, the honour and dignitie of the name of the Croſſe, begat a reuerend eſtimation euen in the Apoſtles times, (for ought that is knowen to the contrary) of the ſigne of the Croſſe: which the Chriſtians ſhortly after vſed in all their actions, thereby making an outward ſhew and profeſſion euen to the aſtoniſhment of the Iewes, that they were not aſhamed to acknowledge him for their Lord and Sauiour, who died for them vpon the Croſſe. And this ſigne they did not onely vſe themſelues with a kind of glory, when they met with any Iewes, but ſigned therewith their children when they were Chriſtned, to dedicate them by that badge to his ſeruice, whoſe benefits beſtowed vpon them in Baptiſme, the name of the Croſſe did repreſent. And this vſe of the ſigne of the Croſſe in Baptiſme was helde in the Primitiue Church, as well by the Greekes as the Latines, with one conſent and great applauſe. At what time, if any had oppoſed themſelues againſt it, they would certainely haue been cenſured as enemies of the name of the Croſſe, and conſequently of Chriſts merits: the ſigne whereof they could no better endure. This continual and generall vſe of the ſigne of the Croſſe, is euident by many teſtimonies of the ancient Fathers.

Thirdly, it muſt be confeſſed that in proceſſe of time the ſigne of the Croſſe was greatly abuſed in the Church of Rome, eſpecially after that corruption of Popery had once poſſeſſed it. But the abuſe of a thing doth not take away the lawfull vſe of it. Nay, ſo farre was it from the purpoſe of the Church of England to forſake & reiect the Churches of Italy, France, Spaine, Germany, or any ſuch like Churches in all things which they held and practiſed, that, as the Apologie of the Church of England confeſſeth, it doth with reuerence retaine thoſe Ceremonies which doe neither endammage the Church of God, nor offend the mindes of ſober men: and onely departed from them in thoſe particular points, wherein they were fallen both from themſelues in their ancient integritie, and from the Apoſtolical Churches which were their firſt founders. In which reſpect, amongſt ſome other very ancient Ceremonies, the ſigne of the Croſſe in Baptiſme hath beene retained in this Church both by the iudgement and practiſe of thoſe reuerend Fathers and great Diuines in the dayes of King Edward the ſixth, of whom ſome conſtantly ſuffered for the profeſſion of the truetb: and others being exiled in the time of Queene Mary, did after their returne in

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the beginning of the Reigne of our late dꝛead Souereigne, continually defend and vſe the ſame. This reſolution and pꝛactiſe of our Church hath bin allowed and appꝛoued by the cenſure vpon the Communion Booke in King Edward the firſt his dayes, and by the harmony of confeſſions of later yeeres: becauſe in deed the vſe of this ſigne in Baptiſme was euer accompanied here with ſuch ſufficient cautions and exceptions againſt all Popiſh Superſtition and errour, as in the like caſes are either fit oꝛ conuenient.

Firſt, the Church of England ſince the abolißing of Popery hath euer held & taught, and ſo doth hold and teach ſtil, that the ſigne of the Croſſe vſed in Baptiſme, is no part of the ſubſtance of that Sacrament: Foꝛ when the Miniſter dipping the Infant in water, oꝛ laying water vpon the face of it, (as the manner alſo is) hath pꝛonounced theſe woꝛdes, I baptize thee in the Name of the Father, and of the Sonne, and of the holy Ghoſt, the Infant is fully and perfectly baptized. So as the ſigne of the Croſſe being afterwards vſed, doeth neither adde any thing to the vertue and perfection of Baptiſme, noꝛ being omitted doeth detract any thing from the effect and ſubſtance of it.

Secondly it is apparant in the Communion booke, that the Infant baptized is by vertue of Baptisme, before it be signed with the signe of the Crosse, receiued into the Congregation of Christs flocke as a perfect member thereof, and not by any power ascribed vnto the signe of the Crosse. So that for the very remembrance of the Crosse which is very precious to all them that rightly beleeue in IESV CHRIST, and in the other respects mentioned, the Church of England hath reteined still the signe of it in Baptisme: following therein the Primitiue and Apostolicall Churches, and accounting it a lawfull outward Ceremonie and honorable Badge, whereby the Infant is dedicated to the seruice of him that died vpon the Crosse, as by the words vsed in the booke of Common prayer it may appeare.

Lastly, the vse of the signe of the Crosse in Baptisme, being thus purged from all Popish superstition and error, and reduced in the Church of England to the primarie Institution of it vpon those true rules of Doctrine concerning things indifferent, which are consonant to the word of God and the iudgements of all the ancient Fathers: wee hold it the part of euery priuate man both Minister and other, reuerently to reteine the true vse of it prescribed by

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publiſhe Authoritie, conſidering that things of themſelues indifferent, doe in ſome ſort alter their natures, when they are either commanded or forbidden by a lawfull Magiſtrate: and may not bee omitted at euery mans pleaſure contrarie to the Law, when they be commanded, nor vſed when they are prohibited.

Miniſters their Ordination, Function, and Charge.

XXXI.

Foure ſolemne times appointed for the making of Miniſters.

FOraſmuch as the ancient Fathers of the Church led by example of the Apoſtles, appointed Prayers and Faſts to be vſed at the ſolemne ordering of Miniſters: and to that purpoſe allotted certaine times, in which only ſacred Orders might be giuen or conferred: wee following their holy and religious example,

ample, doe conſtitute and decree, That no Deacons or Miniſters be made and ordained, but onely vpon the Sundayes immediatly following Ieiunia quatuor temporum, commonly called Ember weekes, appointed in ancient time for Prayer and Faſting (purpoſely for this cauſe at their firſt Inſtitution) and ſo continued at this day in the Church of England: and that this be done in the Cathedrall or Pariſh Church where the Biſhop reſideth, and in the time of diuine Seruice, in the preſence not onely of the Archdeacon, but of the Deane and two Prebendaries at the leaſt, or (if they ſhall happen by any lawful cauſe to be let or hindered) in the preſence of foure other graue perſons being maſters of Artes at the leaſt, and allowed for publike Preachers.

XXXII.

None to be made Deacon and Miniſter, both in one day.

THe Office of Deacon being a ſtep or degree to the Miniſterie according to the iudgement of the ancient Fathers, and the practiſe of the Primitiue Church: wee doe ordaine and appoint, that hereafter no Biſhop ſhall make any perſon of what qualities or gifts ſoeuer, a Deacon and a Miniſter,

ſter, both together vpon one day: but that the order in that behalfe preſcribed in the Booke of making and conſecrating Biſhops, Prieſts, and Deacons, bee ſtrictly obſerued. Not that alwayes euery Deacon ſhould bee kept from the Miniſterie for a whole yeere when the Biſhop ſhall finde good cauſe to the contrary: but that there being now foure times appointed in euery yeere for the ordination of Deacons and Miniſters, there may euer be ſome time of triall of their behauiour in the office of Deacon, before they be admitted to the Order of Prieſthood.

XXXIII.

The Titles of ſuch as are to bee made Miniſters.

IT hath bene long ſince prouided by many decrees of the ancient Fathers, that none ſhould be admitted either Deacon or Prieſt, who had not firſt ſome certaine place where he might vſe his Function. According to which examples we do ordaine, that henceforth no perſon ſhall bee admitted into ſacred Orders, except he ſhall at that time exhibite to the Biſhop of whom hee deſireth Impoſition of handes, a preſentation of himſelfe to ſome Eccleſiaſticall preferment

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then voyd in that Dioceſſe: or ſhall bring to the ſaid Biſhop a true and vndoubted certificate, that either hee is prouided of ſome Church within the ſaid Dioceſſe, where he may attend the Cure of ſoules, or of ſome Miniſters place vacant, either in the Cathedrall Church of that Dioceſſe, or in ſome other Collegiat Church therein alſo ſcituate, where hee may execute his Miniſterie: or that hee is a Fellow, or in right as a Fellow, or to bee a Conduct or Chappleine in ſome College in Cambridge or Oxford: or except he be a Maſter of Arts of fiue yeeres ſtanding, that liueth of his owne charge in either of the vniuerſities: or except by the Biſhop himſelfe, that doth ordaine him Miniſter, he be ſhortly after to bee admitted either to ſome Benefice or Curateſhip then voyd. And if any Biſhop ſhall admit any perſon into the Miniſtery that hath none of theſe Titles as is aforeſaid, then hee ſhall keepe and maintaine him with all things neceſſary, till hee doe preferre him to ſome Eccleſiaſticall liuing. And if the ſaid Biſhop ſhall refuſe ſo to doe, he ſhall be ſuſpended by the Archbiſhop being aſſiſted with an other Biſhop, from giuing of Orders by the ſpace of a yeere.

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XXXIIII.

The qualitie of ſuch as are to bee made Miniſters.

NO Biſhop ſhall henceforth admit any perſon into ſacred Orders which is not of his owne Dioceſſe, except hee be either of one of the Vniuerſities of this Realme, or except he ſhall bring letters Dimiſſory (ſo tearmed) from the Biſhop of whoſe Dioceſſe he is, and deſiring to be a Deacon, is three and twentie yeeres olde, and to be a Prieſt foure and twentie yeeres complete, and hath taken ſome degree of Schoolein either of the ſayd Vniuerſities, or at the leaſt, except he be able to yeelde an accompt of his Faith in Latin, according to the Articles of Religion approoued in the Synode of the Biſhops and Cleargie of this Realme, one thouſand fiue hundred ſirtie and two, and to confirme the ſame by ſufficient teſtimonies out of the holy Scriptures: and except moreouer, hee ſhall then exhibite letters Teſtimoniall of his good life and conuerſation vnder the Seale of ſome College in Cambridge or Oxford, where before hee remained, or of three or foure graue Miniſters, together with the ſubſcription and teſtimony of other credible

persons, who haue knowen his life and behauiour by the space of three yeeres next before.

XXXV.

The examination of such as are to bee made Ministers.

THe Bishop before hee admit any person to holy Orders, shall diligently examine him in the presence of those Ministers that shall assist him at the Imposition of hands. And if the said Bishop haue any lawfull impediment, he shall cause the said Ministers carefully to examine euery such person so to be ordered. Prouided that they who shall assist the Bishop in examining and laying on of hands, shall bee of his Cathedrall Church if they may conueniently be had, or other sufficient preachers of the same Diocesse, to the number of three at the least. And if any Bishop or Suffragan shall admit any to sacred Orders, who is not so qualified and examined, as before wee haue ordained: the Archbishop of this Prouince hauing notice thereof, and being assisted therein by one Bishop, shall suspend the said Bishop or Suffragan so offending, from making either Deacons or Priests for the space of two yeeres.

Subscrip-

XXXVI.

Subſcription required of ſuch as are to be made Miniſters.

NO perſon ſhall hereafter be receiued into the Miniſterie, nor either by Inſtitution or Collation admitted to any Eccleſiaſticall liuing, nor ſuffred to Preach, to Catechize, or to be a Lecturer, or Reader of Diuinitie in either Vniuerſitie, or in any Cathedrall or Collegiate Church, Citie or market Towne, Parish Church, Chappell, or in any other place within this Realme, except hee be licenced either by the Archbiſhop, or by the Biſhop of the Dioceſſe, (where he is to be placed) vnder their hands and ſeales, or by one of the two Vniuerſities vnder their ſeale likewiſe: and except he ſhal firſt ſubſcribe to theſe three Articles following, in ſuch maner and ſort as wee haue here appointed.

1 That the Kings Maiеſty vnder God, is the onely ſupreme Gouernour of this Realme, and of all other his Highneſſe Dominions and Countreys, aſwell in all Spirituall or Eccleſiaſtical things or cauſes, as Temporall, and that no forraine Prince, Perſon, Prelate, State, or Potentate, hath or ought to haue any Juriſdiction, Power,

Superiozitie, Preheminence, oz Authozity Ecclesiasticall oz Spirituall, within his Maiesties sayd Realmes, Dominions, and Countreys.

2 That the Booke of Common prayer, and of ozdering of Bishops, Priestes and Deacons, conteineth in it nothing contrary to the wozd of God, and that it may lawfully so be vsed, and that hee himselfe will vse the fozme in the sayd Booke prescribed in publike prayer, and administration of the Sacraments, and none other.

3 That he alloweth the Booke of Articles of Religion agreed vpon by the Archbishops and Bishops of both Prouinces, and the whole Cleargie in the Conuocation holden at London in the yeere of our Lozd God, one thousand fiue hundzed sixtie and two: and that hee acknowledgeth all and euery the Articles therein contained being in number nine and thirtie, besides the ratification, to be agreeable to the wozd of God.

To these three Articles whosoeuer will subscribe, hee shall foz the auoiding of all ambiguities subscribe in this ozder and fourme of wozdes, setting downe both his christen

christen and surname, viz. I N. N. doe willingly and *ex animo* subscribe to these three Articles aboue mentioned, and to all things that are contained in them. And if any Bishop shall ordaine, admit, or licence any as is aforesaid, except he first haue subscribed in manner and fourme as here wee haue appointed, he shalbe suspended from giuing of Orders and Licences to preach for the space of twelue moneths. But if either of the Vniuersities shall offend therein, we leaue them to the danger of the Lawe and his Maiesties censure.

XXXVII.

Subscription before the Diocesan.

NOne licenced as is aforesaid, to preach, Read, Lecture, or Catechize, comming to reside in any Diocesse, shall be permitted there to Preach, Read, Lecture, Catechize, or Minister the Sacraments, or to execute any other Ecclesiasticall function (by what authority soeuer he be thereunto admitted) vnlesse hee first consent and subscribe to the three Articles before mentioned, in the presence of the Bishop of the Diocesse wherein hee is to Preach, Read, Lecture, Catechize or Administer the Sacraments, as aforesaid.

XXXVIII.

Reuolters after Subscription, censured.

IF any Minister after he hath once subscribed to the said three Articles, shall omit to vse the fourme of Prayer, or any of the Orders or Ceremonies prescribed in the Communion Booke, let him be suspended: and if after a moneth hee doe not reforme and submit himselfe, let him be excommunicated: and then if he shall not submit himselfe within the space of another moneth, let him be deposed from the Ministery.

XXXIX.

Cautions for institution of Ministers into Benefices.

NO Bishop shall institute any to a Benefice who hath beene ordained by any other Bishop, except hee first shew vnto him his Letters of Orders, and bring him a sufficient testimonie of his former good life and behauiour, if the Bishop shall require it: and lastly shall appeare vpon due examination to be worthy of his Ministerie.

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XL.

An oath againſt Symonie at inſtitution into Benefices.

TO auoid the deteſtable ſinne of Symonie, becauſe buying and ſelling of Spirituall and Eccleſiaſticall Functions, Offices, Promotions, Dignities, and Liuings is execrable before God: therefore the Archbiſhop and all and euery Biſhop or Biſhops, or any other perſon or perſons, hauing authoritie to Admit, Inſtitute, Collate, Inſtall, or to confirme the election of any Archbiſhop, Biſhop, or other perſon or perſons to any Spirituall or Eccleſiaſticall Function, Dignitie, Promotion, Title, Office, Juriſdiction, Place, or Benefice with Cure or without Cure, or to any Eccleſiaſticall liuing whatſoeuer, ſhall before euery ſuch Admiſſion, Inſtitution, Collation, Inſtallation or Confirmation of Election, reſpectiuely miniſter to euery perſon hereafter to be Admitted, Inſtituted, Collated, Inſtalled, or confirmed in or to any Archbiſhopricke, Biſhopricke, or other Spirituall or Eccleſiaſticall Function, Dignitie, Promotion, Title, Office, Juriſdiction, Place, or Benefice with Cure or without Cure, or in or to any Eccleſiaſticall liuing whatſoeuer,

this

this Oath in maner and forme following, the same to be taken by euery one whome it concerneth in his owne person, and not by a Proctor: I N. N. doe sweare, That I haue made no Symoniacall payment, contract or promise, directly or indirectly, by my selfe or by any other to my knowledge, or with my consent, to any person or persons whatsoeuer, for or concerning the procuring and obtaining of this Ecclesiasticall Dignitie, Place, Preferrement, Office or Liuing, (respectiuely and particularly naming the same whereunto hee is to be Admitted, Instituted, Collated, Installed or Confirmed) nor will at any time hereafter performe or satisfie any such kinde of paiment, contract or promise made by any other without my knowledge or consent, So helpe me God through Iesus Christ.

XLI.

Licences for pluralitie of Benefices limited, and Residence enioyned.

NO License or Dispensation for the keeping of more Benefices with Cure then one,

one, shall be graunted to any, but such one-ly as shall be thought very well worthy for his learning, and very well able and sufficient to discharge his duety, that is, who shall haue taken the degree of a Master of Artes at the least in one of the Vniuersities of this Realme, and be a publike and sufficient Preacher licensed. Prouided alwaies that he be by a good and sufficient caution bound to make his personall Residence in each his sayd Benefices for some reasonable time in euery yeere: and that the sayd Benefices bee not more then thirtie miles distant asunder: and lastly, that hee haue vnder him in the Benefice where hee doeth not reside, a Preacher lawfully allowed, that is able sufficiently to teach and instruct the people.

XLII.

Residence of Deanes in their Churches.

EVery Deane, Master, or Warden, or chiefe Gouernour of any Cathedrall or Collegiate Church, shall be resident in his sayde Cathedrall or Collegiate Church fourescore and tenne dayes *Coniunctim* or *Diuisim* in euery yeere at the least, and then

shall continue there in preaching the word of God, and keeping good hospitalitie, except hee shall bee otherwise let with weightie and vrgent causes to bee approoued by the Bishop of the Diocesse, or in any other lawfull sort dispensed with. And when he is present, he, with the rest of the Canons or Prebendaries resident, shall take special care, that the Statutes and laudable Customes of their Church, (not being contrary to the word of God, or Prerogatiue Royall) the Statutes of this Realme being in force concerning Ecclesiasticall Order, and all other Constitutions now set foorth and confirmed by his Maiesties authoritie, and such as shall be lawfully enioyned by the Bishop of the Diocesse in his visitation according to the Statutes and Customes of the same Church, or the Ecclesiasticall Lawes of this Realme, be diligently obserued, and that the petie Canons, Vicars chorall, and other Ministers of their Church be vrged to the studie of the holy Scriptures: and euery one of them to haue the New Testament not onely in English, but also in Latine.

Deanes,

XLIII.

Deanes and Prebendaries to Preach during their Reſidence.

THe Deane, Maſter, Warden, or chiefe Gouernor, Prebendaries and Canons in euery Cathedrall and Collegiate Church, ſhall not onely preach there in their owne perſons ſo often as they are bound by Law, Statute, Ordinance, or Cuſtome, but ſhall likewiſe preach in other Churches of the ſame Dioceſſe where they are Reſident, and eſpecially in thoſe places whence they or their Church receiue any yeerely Rents or Profits. And in caſe they themſelues be ſicke, or lawfully abſent, they ſhall ſubſtitute ſuch licenſed Preachers to ſupply their turnes, as by the Biſhop of the Dioceſſe ſhall be thought meete to preach in Cathedrall Churches. And if any otherwiſe neglect or omitte to ſupply his courſe, as is aforeſayd, the offendor ſhall be puniſhed by the Biſhop, or by him or them to whom the iuriſdiction of that Church appertaineth, according to the qualitie of the offence.

XLIIII.

Prebendaries to be reſident vpon their Benefices.

NO Prebendaries nor Canons in Cathedrall or Collegiate Churches, hauing one or moe Benefices with Cure (and not being Reſidentiaries in the ſame Cathedrall or Collegiat Churches) ſhall vnder colour of their ſaid Prebends, abſent themſelues from their Benefices with Cure aboue the ſpace of one moneth in the yeere, vnleſſe it be for ſome vrgent cauſe, and certaine time to bee allowed by the Biſhop of the Dioceſſe. And ſuch of the ſayd Canons and Prebendaries as by the Ordinances of the ſayd Cathedrall or Collegiate Churches doe ſtand bound to bee reſident in the ſame, ſhall ſo among themſelues ſort and proportion the times of the yeere, concerning reſidence to bee kept in the ſaid Churches, as that ſome of them alwayes ſhall be perſonally reſident there: and that all thoſe who be, or ſhal be Reſidentiaries in any Cathedrall or Collegiat Church, ſhall after the dayes of their Reſidencie appointed by their locall Statutes or Cuſtomes expired, preſently repaire to their Benefices, or ſome one of them, or to ſome other Charge where

the

the Law requireth their presence, there to discharge their duties according to the Lawes in that case provided. And the Bishop of the Diocesse shall see the same to bee duely performed and put in execution.

XLV.

Beneficed Preachers being resident vpon their liuings to preach euery Sunday.

EVery Beneficed man allowed to bee a Preacher, and residing on his Benefice, hauing no lawfull impediment, shall in his owne Cure, or in some other Church or Chappel where he may conueniently neere adioyning, (where no Preacher is) preach one Sermon euery Sunday of the yeere, wherein hee shall soberly and sincerely diuide the word of trueth to the glory of God, and to the best edification of the people.

XLVI.

Beneficed men not Preachers to procure monethly Sermons.

EVery Beneficed man not allowed to bee a Preacher, shall procure Sermons to be preached in his Cure once in euery mo-

neth at the leaſt, by Preachers lawfully licenced, if his liuing in the iudgement of the Ordinary, will be able to beare it. And vpon euery Sunday when there ſhall not be a Sermon preached in his Cure, he or his Curate ſhal reade ſome one of the Homilies preſcribed, or to be preſcribed by authoritie to the intents aforeſaid.

XLVII.

Abſence of Beneficed men to be ſupplied by Curates that are allowed Preachers.

Euery Beneficed man licenced by the Lawes of this Realme, vpon vrgent occaſions of other ſeruice not to reſide vpon his Benefice, ſhall cauſe his Cure to be ſupplied by a Curate that is a ſufficient and licenced Preacher, if the worth of the Benefice will beare it. But whoſoeuer hath two Benefices ſhall maintaine a Preacher licenced, in the Benefice where hee doth not reſide, except hee preach himſelfe at both of them vſually.

None

XLVIII.

None to be Curats but allowed by the Biſhop.

NO Curat or Miniſter ſhall bee permitted to ſerue in any place, without Examination and Admiſſion of the Biſhop of the Dioceſſe or Ordinarie of the place hauing Epiſcopall Juriſdiction, in writing vnder his hand and ſeale, hauing reſpect to the greatneſſe of the Cure, and meetneſſe of the partie. And the ſaid Curates and Miniſters if they remoue from one Dioceſſe to another, ſhall not be by any meanes admitted to ſerue without teſtimony of the Biſhop of the Dioceſſe, or Ordinary of the place as aforeſaid, whence they came, in writing, of their honeſtie, abilitie, and conformitie to the Eccleſiaſticall Lawes of the Church of England. Nor any ſhall ſerue more then one Church or Chappell vpon one day, except that Chappell bee a member of the Pariſh Church, or vnited thereunto: and vnleſſe the ſayd Church or Chappell where ſuch a Miniſter ſhall ſerue in two places, be not able in the iudgement of the Biſhop or Ordinarie as aforeſaid, to maintaine a Curate.

Miniſters

XLIX.

Miniſters not allowed Preachers, may not expound.

NO perſon whatſoeuer not examined and approued by the Biſhop of the Dioceſſe, or not licenced as is aforeſaid for a ſufficient or conuenient Preacher, ſhall take vpon him to expound in his owne Cure or elſewhere, any Scripture or matter of doctrine, but ſhall onely ſtudy to reade plainly and aptly (without glozing or adding) the Homilies already ſet foorth or hereafter to be publiſhed by lawfull Authoritie, for the confirmation of the true faith, and for the good inſtruction and edification of the people.

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Strangers not admitted to preach without ſhewing their licence.

NEither the Miniſter, Churchwardens, nor any other Officers of the Church, ſhall ſuffer any man to preach within their Churches or Chappels, but ſuch as by ſhewing their licence to preach, ſhal appeare vnto them to bee ſufficiently authorized thereunto, as is aforeſaid.

Strangers

LI.

Strangers not admitted to preach in Cathedrall Churches without sufficient authoritie.

THe Deanes, Presidents, and Residentiaries of any Cathedrall or Collegiate Church, shall suffer no stranger to preach vnto the people in their Churches, except they bee allowed by the Archbishop of the Prouince, or by the Bishop of the same Diocesse, or by either of the Vniuersities. And if any in his Sermon shall publish any doctrine, either strange or disagreeing from the word of God, or from any of the Articles of Religion agreed vpon in the Conuocation house Anno 1562. or from the Booke of Common prayers: the Deane or the Residents shall by their Letters subscribed with some of their hands that heard him, so soone as may be, giue notice of the same to the Bishop of the Diocesse, that hee may determine the matter, and take such order therein as he shall thinke conuenient.

LII.

The names of ſtrange Preachers to be noted in a Booke.

THat the Biſhop may vnderſtand (if occaſion ſo require) what Sermons are made in euery Church of his Dioceſſe, and who preſume to preach without Licence: the Churchwardens and Sidemen ſhall ſee that the names of all Preachers which come to their Church from any other place, be noted in a booke, which they ſhall haue ready for that purpoſe: wherin euery Preacher ſhall ſubſcribe his name, the day when he preached, and the name of the Biſhop of whom he had licence to preach.

LIII.

No publike oppoſition betweene Preachers.

IF any Preacher ſhall in the Pulpit particularly, or namely of purpoſe, impugne or confute any doctrine deliuered by any other Preacher in the ſame Church, or in any Church neere adioyning, before he hath acquainted the Biſhop of the Dioceſſe therewith, and receiued order from him what to doe in that caſe, becauſe vpon ſuch publike diſſen-

dissenting and contradicting, there may growe much offence and disquietnesse vnto the people: the Churchwardens or partie grieued shall forthwith signifie the same to the said Bishop, and not suffer the said Preacher any more to occupy that place which he hath once abused, except hee faithfully promise to forbeare all such matter of contention in the Church, vntill the Bishop hath taken further order therein: who shall with all conuenient speed so proceede therein, that publicke satisfaction may be made in the Congregation where the offence was giuen. Prouided, that if either of the parties offending doe appeale, hee shall not be suffered to preach pendente lite.

LIIII.

The Licences of Preachers refusing conformitie, to be void.

If any man licenced heretofore to preach, by any Archbishop, Bishop, or by either of the Vniuersities, shall at any time from henceforth refuse to conforme himselfe to the Lawes, Ordinances, and Rites Ecclesiasticall established in the Church of England, hee shall be admonished by the Bishop of the Diocesse or Ordinary of the place, to submit himselfe to the vse and due

exerciſe of the ſame. And if after ſuch admonition, hee doe not conforme himſelfe within the ſpace of one moneth, We determine and decree, That the Licence of euery ſuch Preacher ſhall thereupon be vtterly void and of none effect.

LV.

The forme of a Prayer to bee vſed by Preachers before their Sermons.

BEfore all Sermons, Lectures, and Homilies, the Preachers and Miniſters ſhall moue the people to ioyne with them in Prayer in this forme or to this effect, as briefly as conueniently they may. Ye ſhall pray for Chriſts holy Catholike Church, that is, for the whole Congregation of Chriſtian people diſperſed throughout the whole world, and eſpecially for the Churches of England, Scotland, and Ireland. And herein I require you moſt eſpecially to pray for the Kings moſt Excellent Maieſtie, our Soueraigne Lord IAMES, King of England, Scotland, France, and Ireland, Defendour of the Faith, and Supreme Gouernour in theſe his Realmes, and all other his Dominions and Countries, ouer all perſons, in all cauſes, as

as well Eccleſiaſticall as Temporall. Yee ſhall alſo pray for our gracious Queene ANNE, the Noble Prince HENRY, and the reſt of the King and Queenes Royall Iſſue. Yee ſhall alſo pray for the Miniſters of Gods holy word and Sacraments, aſwell Archbiſhops and Biſhops, as other Paſtors and Curates. Yee ſhall alſo pray for the Kings moſt honourable Counſell, and for all the Nobilitie and Magiſtrates of this Realme, that all and euery of theſe in their ſeuerall Callings, may ſerue truely and painefully to the glory of God, and the edifying and well gouerning of his people, remembring the accompt that they muſt make. Alſo yee ſhall pray for the whole Commons of this Realme, that they may liue in true faith and feare of God, in humble obedience to the King, and brotherly charity one to another. Finally let vs praiſe God for all thoſe which are departed out of this life in the faith of Chriſt, and pray vnto God that wee may haue grace to direct our liues after their good example: that this life ended, we may be made partakers with them of the glorious reſurrection in the life euerlaſting, alwayes concluding with the Lords prayer.

LVI.

Preachers and Lecturers to reade diuine Seruice and administer the Sacraments twise a yeere at the least.

Euery Minister being possessed of a Benefice that hath Cure and Charge of soules, although he chiefly attend to Preaching, and hath a Curate vnder him to execute the other dueties, which are to bee performed for him in the Church, and likewise euery other stipendary Preacher that readeth any Lecture, or Catechizeth, or Preacheth in any Church or Chappell, shal twise at the least euery yeere reade himselfe the diuine Seruice, vpon two seuerall Sundayes, publikely and at the vsuall times, both in the Forenoone and Afternoone in the Church which he so possesseth, or where he Readeth, Catechiseth, or Preacheth as is aforesaid, and shall likewise as often in euery yeere administer the Sacraments of Baptisme (if there bee any to be baptized) and of the Lords Supper, in such manner and forme, and with the obseruation of all such Rites and Ceremonies as are prescribed by the Booke of Common prayer in that behalfe: which if he doe not accordingly

ly performe, then ſhall he that is poſſeſſed of a Benefice (as before) be ſuſpended: and he that is but a Reader, Preacher, or Catechizer, be remooued from his place by the Biſhop of the Dioceſſe, vntill hee or they ſhall ſubmit themſelues to performe all the ſaid dueties, in ſuch maner and ſort as before is preſcribed.

LVII.

The Sacraments not to be refuſed at the hands of vnpreaching Miniſters.

WHereas diuers perſons ſeduced by falſe Teachers, doe refuſe to haue their children baptized by a Miniſter that is no preacher, and to receiue the holy Communion at his hands in the ſame reſpect, as though the vertue of thoſe Sacraments did depend vpon his abilitie to preach: Forasmuch as the doctrine both of Baptiſme and of the Lords Supper is ſo ſufficiently ſet downe in the booke of Common prayer to be vſed at the Adminiſtration of the ſaid Sacraments, as nothing can be added vnto it that is material and neceſſary: We doe require and charge euery ſuch perſon ſeduced as aforeſaid, to reforme that their wilfulneſſe, and to ſubmit himſelfe to the order of the Church in that behalfe, both the ſaid

laid Sacraments being equally effectuall, whether they be ministred by a Minister that is no Preacher, or by one that is a Preacher. And if any hereafter shall offend herein, or leaue their owne Parish Churches in that respect, and communicate or cause their children to be baptized in other Parishes abroad, and will not be mooued thereby to reforme that their error and vnlawfull course: let them be presented to the Ordinary of the place by the Minister, Churchwardens, and Sidemen or Questmen of the Parishes where they dwell, and there receiue such punishment by Ecclesiastical censures, as such obstinacie doth worthily deserue: that is, Let them (persisting in their wilfulnesse) be suspended, and then after a moneths further obstinacie, excommunicated. And likewise if any Parson, Vicar, or Curate, shall after the publishing hereof, either receiue to the Communion any such persons which are not of his owne Church and Parish, or shall baptize any of their children, thereby strengthening them in their said errors, Let him be suspended, and not released thereof, vntill he doe faithfully promise that hee will not afterwards offend therein.

Ministers

LVIII.

Miniſters reading Diuine Seruice, and Adminiſtring the Sacraments, to weare Surpliſſes, and Graduats therewithall, Hoods.

EVery Miniſter ſaying the publike Prayers, or miniſtring the Sacraments or other Rites of the Church, ſhall weare a decent and comely Surpliſſe with ſleeues, to be prouided at the charge of the Parish. And if any queſtion arise touching the matter, decencie, or comelineſſe therof, the ſame ſhalbe decided by the diſcretion of the Ordinary. Furthermore, ſuch Miniſters as are Graduats, ſhall weare vpon their Surpliſſes at ſuch times, ſuch Hoods as by the Orders of the Vniuerſities are agreeable to their degrees, which no Miniſter ſhall weare (being no Graduat) vnder paine of ſuſpenſion. Notwithſtanding it ſhall bee lawfull for ſuch Miniſters as are not Graduats, to weare vpon their Surpliſſes in ſtead of Hoodes, ſome decent Tippet of blacke, ſo it be not Silke.

LIX.

Ministers to Catechize euery Sunday.

Euery Parson, Vicar, or Curate, vpon euery Sunday and Holy day before Euening prayer, shal for halfe an houre or more, examine and instruct the youth and ignorant persons of his Parish in the ten Commandements, the Articles of the beliefe, and in the Lords prayer: and shall diligently heare, instruct, and teach them the Catechisme set foorth in the Booke of Common prayer. And all Fathers, Mothers, Masters, and Mistresses, shall cause their children, seruants, and apprentices, which haue not learned the Catechisme, to come to the Church at the time appointed, obediently to heare, and to be ordered by the Minister, vntill they haue learned the same. And if any Minister neglect his duety herein, let him bee sharpely reproued vpon the first complaint, and true notice thereof giuen to the Bishop or Ordinarie of the place. If after submitting himselfe, hee shall wilfully offend therein againe, let him bee suspended. If so the third time, there being little hope that he will be therein reformed, then excommunicated, and so remaine vntill

till he will be reformed. And likewise if any of the said Fathers, Mothers, Masters, or Mistresses, Children, Seruants, or Apprentices shall neglect their dueties, as the one sort in not causing them to come, and the other in refusing to learne as aforesayd, let them be suspended by their Ordinaries, (if they be not children) and if they so persist by the space of a moneth, then let them bee excommunicated.

LX.

Confirmation to be performed once in three yeeres.

FOrasmuch as it hath been a solemne, ancient, and laudable Custome in the Church of God, continued from the Apostles times, that all Bishops should lay their hands vpon children baptized and instructed in the Catechisme of Christian Religion, praying ouer them, and blessing them, which we commonly call Confirmation, and that this holy action hath been accustomed in the Church in former ages, to be performed in the Bishops visitation euery third yeere: Wee will and appoint, that euery Bishop, or his Suffragan in his accustomed visitation, doe in his owne

perſon carefully obſerue the ſayd Cuſtome. And if in that yeere by reaſon of ſome infirmitie, he be not able perſonally to viſit, then he ſhall not omit the execution of that duetie of Confirmation the next yeere after, as he may conueniently.

LXI.

Miniſters to prepare children for Confirmation.

Euery Miniſter that hath Cure and charge of ſoules, for the better accompliſhing of the Orders preſcribed in the Booke of Common prayer concerning Confirmation, ſhall take eſpeciall care as that none may bee preſented to the Biſhop for him to lay his hands vpon, but ſuch as can render an account of their Faith according to the Catechiſme in the ſayd Booke contained. And when the Biſhop ſhall aſſigne any time for the performance of that part of his duetie, euery ſuch Miniſter ſhall vſe his beſt endeuour to prepare and make able, and likewiſe to procure as many as he can to be then brought, and by the Biſhop to be confirmed.

Miniſters

LXII.

Miniſters not to marrie any perſons without Bannes or Licence.

NO Miniſter vpon paine of ſuſpenſion per triennium ipſo facto, ſhall celebrate Matrimony betweene any perſons without a faculeie or licence granted by ſome of the perſons in theſe our Conſtitutions expreſſed, except the Bannes of Matrimonie haue been firſt publiſhed three ſeuerall Sundayes or Holy dayes in the time of diuine Seruice in the Parish Churches and Chappels where the ſayd parties dwell according to the Booke of Common prayer. Neither ſhall any Miniſter vpon the like paine vnder any pretence whatſoeuer ioyne any perſons ſo licenced in Marriage at any vnſeaſonable times, but onely betweene the houres of eight and twelue in the forenoone, nor in any priuate place, but either in the ſayd Churches or Chappels where one of them dwelleth, and likewiſe in time of Diuine Seruice: nor when Bannes are thrice aſked (and no Licence in that reſpect neceſſary) before the Parents or Gouernours of the parties to bee married, being vnder the age of twenty and one yeeres,

shall either personally, or by sufficient testimony, signifie to him their consents giuen to the sayd Mariage.

LXIII.

Ministers of exempt Churches not to marrie without Bannes or Licence.

Euery Minister who shall hereafter celebrate Marriage betwixt any persons contrary to our sayd Constitutions, or any part of them, vnder colour of any peculiar Libertie or Priuiledge claymed to appertaine to certaine Churches and Chappels, shall be suspended per triennium, by the Ordinary of the place where the offence shall bee committed. And if any such Minister shall afterwards remoue from the place where he hath committed that fault before he be suspended, as is aforesayd, then shall the Bishop of the Diocesse, or Ordinary of the place where he remaineth, vpon Certificate vnder the Hand and Seale of the other Ordinarie from whose Iurisdiction hee remooued, execute that censure vpon him.

Ministers

LXIIII.

Miniſters ſolemnly to bid Holy dayes.

EVery Parſon, Vicar, or Curate ſhall in his ſeuerall charge declare to the people euery Sunday at the time appointed in the Communion Booke, whether there be any Holy dayes or faſting dayes the weeke following. And if any do hereafter wittingly offend herein, and being once admoniſhed thereof by his Ordinary, ſhall againe omit that duetie: let him be cenſured according to Law, vntill hee ſubmit himſelfe to the due performance of it.

LXV.

Miniſters ſolemnly to denounce Recuſants and Excommunicats.

ALl Ordinaries ſhall in their ſeuerall Iuriſdictions carefully ſee and giue order, that aſwell thoſe who for obſtinate refuſing to frequent diuine Seruice eſtabliſhed by publike authoritie within this Realme of England, as thoſe alſo (eſpecially of the better ſort and condition) who for notorious contumacie or other notable crimes

crimes stand lawfully excommunicate, (vnlesse within three moneths immediatly after the said sentence of Excommunication pronounced against them, they reforme themselues, and obtaine the benefit of absolution) be euery sixe moneths ensuing, aswell in the Parish Church as in the Cathedrall Church of the Diocesse in which they remaine, by the Minister openly in time of Diuine Seruice vpon some Sunday denounced and declared excommunicate, that others may be thereby both admonished to refraine their company and societie, and excited the rather to procure out a writte De Excommunicato capiendo, thereby to bring and reduce them into due order and obedience. Likewise the Register of euery Ecclesiasticall Court, shall yeerely betweene Michaelmas and Christmas, duely certifie the Archbishop of the Prouince of all and singular the premisses aforesayd.

LXVI.

Ministers to conferre with Recusants.

Euery Minister being a preacher, and hauing any popish Recusant or Recusants in his Parish, and thought fit by the Bishop of the Diocesse, shall labour diligently with them

them from time to time, therby to reclaime them from their errours. And if hee be no Preacher, or not ſuch a Preacher, then hee ſhall procure, if hee can poſſibly, ſome that are Preachers ſo qualified, to take paines with them for that purpoſe. If he can procure none, then he ſhall informe the Biſhop of the Dioceſſe thereof, who ſhall not onely appoint ſome neighbour Preacher or Preachers adioyning to take that labour vpon them, but himſelfe alſo (as his important affaires will permit him) ſhall vſe his beſt endeauour by inſtruction, perſwaſion, and all good meanes hee can deuiſe, to reclaime both them and all other within his Dioceſſe ſo affected.

LXVII.

Miniſters to viſite the ſicke.

WHen any perſon is dangerouſly ſicke in any Parish, the Miniſter or Curate (hauing knowledge thereof) ſhall reſort vnto him or her (if the diſeaſe be not knowen or probably ſuſpected to be infectious) to inſtruct and comfort them in their diſtreſſe, according to the order of the Communion booke, if hee be no Preacher: or if hee be a Preacher, then as hee ſhall thinke moſt needfull and conuenient. And when

any is passing out of this life, a Bell shall be tolled, and the Minister shal not then slacke to doe his last duety. And after the parties death (if it so fall out) there shall be rung no more but one short peale, and one other before the buriall, and one other after the buriall.

LXVIII.

Ministers not to refuse to christen or bury.

NO Minister shall refuse or delay to christen any childe according to the forme of the Booke of Common prayer, that is brought to the Church to him upon Sundayes or Holidayes to be christened, or to bury any corps that is brought to the Church or Churchyard (conuenient warning being giuen him thereof before) in such manner and forme as is prescribed in the said booke of Common prayer. And if hee shall refuse to christen the one or bury the other, except the partie deceased were denounced excommunicated maiori excommunicatione, for some grieuous and notorious crime, (and no man able to testifie of his repentance) he shalbe suspended by the Bishop of the Diocesse from his Ministerie by the space of three monethes.

Ministers

LXIX.

Miniſters not to deferre chriſtening, if the childe be in danger.

If any Miniſter being duely without any maner of collusion, informed of the weakneſſe and danger of death of any Infant vnbaptized in his Parish, and thereupon deſired to goe or come to the place where the ſaid Infant remaineth to baptize the ſame, ſhall either wilfully refuſe ſo to doe, or of purpoſe, or of groſſe negligence ſhall ſo deferre the time, as when he might conueniently haue reſorted to the place, and haue baptized the ſayde Infant, it dyeth through ſuch his default vnbaptized: the ſaid Miniſter ſhall bee ſuſpended for three moneths, and before his reſtitution ſhall acknowledge his fault, and promiſe before his Ordinarie, that hee will not wittingly incurre the like againe. Prouided, that where there is a Curate or a Subſtitute, this Conſtitution ſhall not extend to the Parſon or Vicar himſelfe, but to the Curate or Subſtitute preſent.

LXX.

Ministers to keepe a Register of Christnings, Weddings, and Burials.

IN euery Parish Church and Chappell within this Realme, shall be prouided one parchment Booke at the charge of the Parish, wherein shall bee written the day and yeere of euery Christning, Wedding, and Buriall, which haue beene in that Parish, since the time that the Law was first made in that behalfe, so farre as the auncient Bookes thereof can be procured, but especially since the beginning of the Raigne of the late Queene. And for the safe keeping of the said Booke, the Churchwardens at the charge of the Parish, shall prouide one sure Coffer with three lockes and keyes: whereof the one to remaine with the Minister, and the other two with the Churchwardens seuerally, so that neither the Minister without the two Churchwardens, nor the Churchwardens without the Minister, shal at any time take that Booke out of the said Coffer. And henceforth vpon euery Sabboth day, immediatly after Morning or Euening prayer, the Minister and Churchwardens shall take the said parchment Booke out of the said Coffer, and the

Minister

Miniſter in the preſence of the Churchwardens ſhall write and record in the ſayd Booke, the names of all perſons Chriſtned together with the names and ſurnames of their Parents, and alſo the names of all perſons Married and Buried in that Pariſh, in the weeke before, and the day and yeere of euery ſuch Chriſtning, Marriage, and Buriall: And that done, they ſhall lay vp that Booke in the Coffer as before: And the Miniſter and Churchwardens vnto euery Page of that Booke, when it ſhall bee filled with ſuch inſcriptions, ſhall ſubſcribe their names. And the Churchwardens ſhal once euery yeere within one moneth after the fiue & twentieth day of March, tranſmit vnto the Biſhop of the Diocelle, or his Chancellor, a true Copy of the names of all perſons Chriſtened, Married, or Buried in their Pariſh in the yeere before (ended the ſayd fiue and twentieth day of March) and the certaine dayes and moneths in which euery ſuch Chriſtning, Marriage, and Buriall was had, to bee ſubſcribed with the handes of the ſayd Miniſter and Churchwardens, to the end the ſame may faithfully bee preſerued in the Regiſtry of the ſayd Biſhop: which Certificate ſhall bee receiued without fee. And if the Miniſter or Churchwardens ſhall be negligent in per-

forꝛmance of any thing herein contained, it ſhall be lawfull forꝛ the Biſhop oꝛ his Chancelloꝛ to conuent them, and pꝛoceed againſt euery of them as contemners of this our Conſtitution.

LXXI.

Miniſters not to Preach or Adminiſter the Communion in priuate houſes.

NO Miniſter ſhall Pꝛeach oꝛ Adminiſter the holy Communion in any pꝛiuate houſe, except it bee in times of neceſſitie, when any being either ſo impotent, as hee cannot goe to the Church, oꝛ very dangeroully ſicke, are deſirous to be partakers of the holy Sacrament, vpon paine of ſuſpenſion foꝛ the firſt offence, and excommunication foꝛ the ſecond. Pꝛouided that houſes are here reputed foꝛ pꝛiuate houſes, wherein are no Chappels dedicated and allowed by the Eccleſiaſticall Lawes of this Realme. And pꝛouided alſo vnder the paines beforꝛe expꝛeſſed, that no Chapleins doe pꝛeach oꝛ adminiſter the Communion in any other places, but in the Chappels of the ſaid houſes, and that alſo they doe the ſame very ſeldom vpon Sundayes and holy dayes. So that both the Lords and Maſters

ſters of the ſaid houſes and their families ſhall at other times reſort to their owne Pariſh Churches, and there receiue the holy Communion at the leaſt once euery yeere.

LXXII.

Miniſters not to appoint publike or priuate Faſts, or Propheſies, or to exorcize, but by authoritie.

NO Miniſter or Miniſters ſhall without the Licence and direction of the Biſhop of the Dioceſſe firſt obtained and had vnder his Hand and Seale, appoint or keepe any ſolemne Faſts, either publikely or in any priuate houſes, other then ſuch as by Law are, or by publike authoritie ſhall be appointed, nor ſhall be wittingly preſent at any of them, vnder paine of Suſpenſion for the firſt fault, of Excommunication for the ſecond, and of Depoſition from the Miniſterie for the third. Neither ſhall any Miniſter not licenſed, as is aforeſayd, preſume to appoint or hold any meetings for Sermons, commonly tearmed by ſome, Propheſies or Exerciſes, in Market townes or other places, vnder the ſayd paines: Nor without ſuch Licenſe to attempt vpon any pretence

pretence whatsoeuer, either of Possession or Oblession, by fasting and prayer to cast out any deuill or deuils, vnder paine of the imputation of Imposture, or Coscnage, and Deposition from the Ministery.

LXXIII.

Ministers not to holde priuate Conuenticles.

FOrasmuch as all Conuenticles and secret meetings of Priests and Ministers, haue been euer iustly accompted very hurtfull to the State of the Church wherein they liue: Wee doe now ordaine and constitute, That no Priests or Ministers of the word of God, nor any other persons shall meete together in any priuate house or elsewhere to consult vpon any matter or course to be taken by them, or vpon their motion or direction by any other, which may any way tend to the impeaching or deprauing of the doctrine of the Church of England, or of the Booke of Common prayer, or of any part of the Gouernment and Discipline nowe established in the Church of England, vnder paine of Excommunication ipso facto.

Decencie

LXXIIII.

Decencie in apparell enioyned to Miniſters.

THe true, ancient and flouriſhing Churches of Chriſt being euer deſirous that their Prelacie and Clergie might be had as well in outward reuerence, as otherwiſe regarded for the worthineſſe of their Miniſterie, did thinke it fit by a preſcript forme of decent and comely Apparell, to haue them knowen to the people, and therby to receiue the honour and eſtimation due to the ſpeciall Meſſengers and Miniſters of Almighty God. Wee therefore following their graue iudgement, and the ancient Cuſtome of the Church of England, and hoping that in time newfangleneſſe of Apparell in ſome factious perſons will die of it ſelfe, doe conſtitute and appoint, That the Archbiſhop and Biſhops, ſhall not intermit to vſe the accuſtomed Apparel of their degrees. Likewiſe all Deanes, Maſters of Colledges, Archdeacons, and Prebendaries in Cathedrall and Collegiate Churches, (being Prieſts or Deacons) Doctors in Diuinity, Law, and Phiſicke, Bacheiers in Diuinitie, Maſters of Artes, and Bachelers of

Law hauing any Eccleſiaſticall liuing, ſhal vſually weare Gownes with ſtanding collers, and ſleeues ſtraight at the hands, or wide ſleeues as is vſed in the Vniuerſities, with Hoods or Tippets of Silke or Sarcenet, and ſquare Cappes. And that all other Miniſters, admitted or to be admitted into that function, ſhall alſo vſually weare the like Apparell, as is aforeſayd, except Tippets onely. Wee doe further in like maner ordaine, That all the ſayd Eccleſiaſticall perſons aboue mentioned, ſhall vſually weare in their iourneys Cloakes with ſleeues, commonly called Prieſts Cloakes without Gards, Welts, long Buttons, or cuts. And no Eccleſiaſticall perſon ſhall weare any Coife, or wrought Nightcap, but onely plaine Nightcaps of blacke ſilke, Satten, or Veluet. In all which particulars concerning the Apparell here preſcribed, our meaning is not to attribute any holines or ſpecial worthines to the ſaid garments, but for decencie, grauitie and order, as is before ſpecified. In priuate houſes, and in their Studies, the ſayd perſons Eccleſiaſticall may vſe any comely and Scholler like Apparell. Prouided, that it be not cutte or pinckt, and that in publike they goe not in their Dublet and Hoſe, without Coates or Callockes: and that they weare

not

not any light coloured Stockins. Likewiſe poore beneficed men and Curats (not being able to prouide themſelues long Gownes) may goe in ſhort Gownes, of the faſhion aforeſayd.

LXXV.

Sober conuerſation required in Miniſters.

NO Eccleſiaſtical perſon ſhal at any time, other then for their honeſt neceſſities, reſort to any Tauernes or Alehouſes, neither ſhall they board or lodge in any ſuch places. Furthermore, they ſhall not giue themſelues to any baſe or ſeruile labour, or to drinking or riot, ſpending their time idlely by day or by night, playing at Dice, Cardes or Tables, or any other vnlawfull game: but at all times conuenient, they ſhall heare or reade ſomewhat of the holy Scriptures, or ſhall occupie themſelues with ſome other honeſt ſtudie or exerciſe, alwayes doing the things which ſhall appertaine to honeſty, and endeuouring to profite the Church of God, hauing alwayes in minde that they ought to excel all others in puritie of life, and ſhould bee examples to the people to liue well and Chriſtianly,

vnder paine of Ecclesiasticall censures to be inflicted with seueritie, according to the qualities of their offences.

LXXVI.

Ministers at no time to forsake their calling.

NO man beeing admitted a Deacon or Minister, shall from thenceforth voluntarily relinquish the same, nor afterward vse himselfe in the course of his life, as a Lay man, vpon paine of Excommunication. And the names of all such men so forsaking their calling, the Churchwardens of the Parish where they dwell shall present to the Bishop of the Diocesse, or to the Ordinarie of the place, hauing Episcopall Iurisdiction.

¶ Schoole-

¶ Schoolemaſters.

LXXVII.

None to teach Schoole without Licence.

NO man ſhall teach either in publike Schoole, or priuate houſe, but ſuch as ſhall bee allowed by the Biſhop of the Dioceſſe, or Ordinary of the place vnder his Hand and Seale, being found meete aſwell for his learning and dexteritie in teaching, as for ſober and honeſt conuerſation, and alſo for right vnderſtanding of Gods true Religion, and alſo except he ſhall firſt ſubſcribe to the firſt and third Articles afore mentioned ſimply, and to the two firſt clauſes of the ſecond Article.

LXXVIII.

Curats deſirous to teach, to be licenced before others.

IN what Pariſh Church or Chappell ſoeuer there is a Curate which is a Maſter of Arts, or Bacheler of Arts, or is other-

wiſe well able to teach youth, and will willingly ſo doe, for the better increaſe of his liuing, and trayning vp of children in Principles of true Religion: wee will and ordaine, That a Licence to teach youth of the Pariſh where he ſerueth, bee granted to none by the Ordinarie of that place, but onely to the ſayd Curate. Prouided alwayes, That this Conſtitution ſhall not extend to any Pariſh or Chappell in countrey Townes, where there is a publike Schoole founded already: In which caſe wee thinke it not meete to allowe any to teach Grammer, but onely him that is allowed for the ſayd publike Schoole.

LXXIX.

The duetie of Schoolemaſters.

ALl Schoolemaſters ſhall teach in Engliſh or Latine, as the children are able to beare, the larger or ſhorter Catechiſme heretofore by publike authoritie ſet foorth. And as often as any Sermon ſhall bee vpon Holy and Feſtiuall dayes, within the Pariſh where they teach, they ſhall bring their Schollers to the Church where ſuch Sermon ſhall be made, and there ſee them quietly and ſoberly behaue themſelues, and

and ſhall examine them at times conuenient after their returne, what they haue borne away of ſuch Sermons. Vpon other dayes, and at other times they ſhall traine them vp with ſuch ſentences of holy Scriptures, as ſhall bee moſt expedient to induce them to all godlineſſe: and they ſhall teach the Grammer ſet foorth by King HENRY the eight, and continued in the times of King EDWARD the ſixt, & Queene ELIZABETH of noble memorie, and none other. And if any Schoolemaſter being licenced, and hauing ſubſcribed, as aforeſaid, ſhall offend in any of the premiſſes, Or either ſpeake, write, or teach againſt any thing whereunto hee hath formerly ſubſcribed, (if vpon admonition by the Ordinary hee doe not amend and reforme himſelfe) let him bee ſuſpended from teaching Schoole any longer.

Things appertaining to Churches.

LXXX.

The great Bible and booke of Common prayer to be had in euery Church.

THe Churchwardens or Questmen of euery Church & Chappell shall at the charge of the Parish prouide the Booke of Common prayer lately explaned in some fewe points by his Maiesties authoritie according to the Lawes and his Highnesse prerogatiue in that behalfe, and that with all conuenient speed, but at the furthest within two moneths after the publishing of these our Constitutions. And if any Parishes be yet vnfurnished of the Bible of the largest volume, or of the bookes of Homilies allowed by Authority: the said Churchwardens shall within conuenient time prouide the same at the like charge of the Parish.

LXXXI.

A Font of ſtone for Baptiſme in euery Church.

ACcording to a former Conſtitution, too much neglected in many places, we appoint, That there ſhalbe a Font of ſtone in euery Church and Chappell where Baptiſme is to be miniſtred: the ſame to be ſet in the ancient vſuall places. In which onely Font the Miniſter ſhall baptize publikely.

LXXXII.

A decent Communion table in euery Church.

WHereas wee haue no doubt but that in all Churches within the Realme of England, conuenient and decent Tables are prouided and placed for the celebration of the holy Communion, wee appoint that the ſame tables ſhall from time to time be kept and repaired in ſufficient and ſeemely maner, and couered in time of diuine Seruice with a Carpet of Silke or other decent ſtuffe thought meet by the Ordinarie of the place, if any queſtion be made of it, and with a faire Linnen cloth at the time of the miniſtration

nistration as becommeth that Table, and so stand, sauing when the said holy Communion is to be administred. At which time the same shall be placed in so good sort within the Church or Chancell, as thereby the Minister may be more conueniently heard of the Communicants in his prayer and ministration: and the Communicants also more conueniently and in more number may communicate with the said Minister: and that the ten Commandements be set vpon the East ende of euery Church and Chappell where the people may best see and reade the same, and other chosen sentences written vpon the walles of the said Churches and Chappels in places conuenient: and likewise that a conuenient seate bee made for the Minister to reade Seruice in. All these to bee done at the charge of the Parish.

LXXXIII.

A Pulpit to be prouided in euery Church.

The Churchwardens or Questmen at the common charge of the Parishioners in euery Church, shall prouide a comely and decent Pulpit to be set in a conuenient place within the same by the discretion of the

the Ordinarie of the place, if any queſtion doe ariſe, and to bee there ſeemely kept for the preaching of Gods word.

LXXXIIII.

A Cheſt for Almes in euery Church.

THe Churchwardens ſhal prouide & haue within three moneths after the publiſhing of theſe Conſtitutions, a ſtrong Cheſt, with a hole in the vpper part thereof, to bee prouided at the charge of the Pariſh (if there bee none ſuch already prouided) hauing three keyes. Of which one ſhall remaine in the cuſtody of the Parſon, Vicar, or Curate, and the other two in the cuſtody of the Churchwardens for the time being, which Cheſt they ſhall ſet and faſten in the moſt conuenient place, to the intent the Pariſhioners may put into it their Almes for their poore neighbours. And the Parſon, Vicar, or Curate ſhal diligently from time to time, and eſpecially when men make their Teſtaments, call vpon, exhort, and moue their neighbours to conferre, and giue as they may well ſpare to the ſaid Cheſt, declaring vnto them, that whereas heretofore they haue beene diligent to beſtow much ſubſtance, otherwiſe then God commaunded, vpon ſuperſtitious vſes: now they ought

at this time to be much more ready to helpe the poore and needy, knowing that to relieue the poore, is a sacrifice which pleaseth God: and that also whatsoeuer is giuen for their comfort, is giuen to Christ himselfe, and is so accepted of him, that hee will mercifully reward the same. The which Almes and Deuotion of the people, the Keepers of the Keyes shall yeerely, quarterly, or oftner (as neede requireth) take out of the Chest, and distribute the same in the presence of most of the Parish, or sixe of the chiefe of them, to be truely and faithfully deliuered to their most poore and needy neighbours.

LXXXV.

Churches to be kept in sufficient reparations.

THe Churchwardens or Questmen shall take care, & prouide that the Churches be wel and sufficiently repaired, and so from time to time kept and maintained, that the windowes bee well glazed, and that the floores bee kept paued, plaine, and euen, and all things there in such an orderly and decent sort, without dust, or any thing that may bee either noysome, or vnseemely, as best becommeth the house of God, and is

prescri-

prescribed in an Homilie to that effect. The like care they shall take, that the Church-yards be well and sufficiently repaired, fenced, and maintained with Walls, Railes, or Pales, as haue bene in each place accustomed, at their charges vnto whom by Law the same appertaineth: but especially they shall see that in euery meeting of the Congregation, peace bee well kept, and that all persons excommunicated, and so denounced, be kept out of the Church.

LXXXVI.

Churches to bee surueied, and the decaies certified to the high Commissioners.

EVery Deane, Deane and Chapter, Archdeacon, and others which haue authoritie to hold Ecclesiasticall visitations by composition, law or prescription, shall surueay the Churches of his or their Jurisdiction, once in euery three yeeres in his owne person, or cause the same to bee done, and shal from time to time within the said three yeeres, certifie the high Commissioners for causes Ecclesiasticall, euery yeere of such defects in any the saide Churches, as hee or they doe finde to remaine vnrepaired, and

the names and surnames of the parties faultie therein. Upon which Certificat we desire that the sayde high Commissioners will ex officio mero send for such parties, and compell them to obey the iust and lawfull Decrees of such Ecclesiasticall Ordinaries, making such Certificats.

LXXXVII.

A Terrier of Glebelands, and other Possessions belonging to Churches.

WE ordaine that the Archbishops, and all Bishops within their seuerall Dioceses, shal procure (as much as in them lieth) that a true note and Terrier of all the Glebes, Lands, Meadowes, Gardens, Orchards, Houses, Stocks, Implements, Tenements, and portions of Tithes lying out of their Parishes (which belong to any Parsonage, or Vicarage, or rurall Prebend) bee taken by the view of honest men in euery Parish, by the appointment of the Bishop, whereof the Minister to bee one, and bee layde vp in the Bishops Registry, there to be for a perpetuall memory thereof.

Churches

LXXXVIII.

Churches not to be prophaned.

THe Churchwardens or Queſtmen and their Aſſiſtants ſhall ſuffer no Playes, Feaſts, Banquets, Suppers, Church-ales, Drinkings, temporall Courts or Leetes, Lay-iuries, Muſters, or any other prophane vſage to bee kept in the Church, Chappell, or Churchyard, neither the Bels to be rong ſuperſtitiouſly, vpon Holy dayes or Eues, abrogated by the Booke of Common prayer, nor at any other times without good cauſe to bee allowed by the Miniſter of the place, and by themſelues.

¶ Churchwardens or Queſtmen, and Sidemen or Aſſiſtants.

LXXXIX.

The choiſe of Churchwardens and their accompt.

ALl Churchwardens or Queſtmen in euery Parish, ſhall bee choſen by the ioynt conſent of the Miniſter and the Pariſhioners if it may be. But if they cannot agree vpon ſuch a choiſe, then the Miniſter

Minister shall chose one, and the Parishioners another: and without such a ioynt or seuerall choise, none shall take vpon them to bee Churchwardens, neither shall they continue any longer then one yeere in that office, except perhaps they be chosen againe in like maner. And all Churchwardens at the end of their yeere, or within a moneth after at the most, shall before the Minister and the Parishioners, giue vp a iust accompt of such money as they haue receiued, and also what particularly they haue bestowed in reparations, and otherwise for the vse of the Church. And last of all going out of their office, they shall truely deliuer vp to the Parishioners whatsoeuer money, or other things of right belonging to the Church or Parish, which remaineth in their hands, that it may bee deliuered ouer by them to the next Churchwardens by Bill Indented.

XC.

The choice of Sidemen and their ioynt office with Churchwardens.

THe Churchwardens or Questmen of euery Parish, and two or three or moe discreete persons in euery Parish to be chosen

ſen for Sidemen or aſſiſtants, by the Miniſter and Pariſhioners, if they can agree, (otherwiſe to bee appointed by the Ordinarie of the Dioceſſe) ſhall diligently ſee, that all the Pariſhioners duely reſort to their Church vpon all Sundayes & Holy dayes, & there continue the whole time of diuine Seruice: and none to walke or to ſtand idle or talking in the Church, or in the Church-yard, or the Church-porch during that time. And all ſuch as ſhall be found ſlacke or negligent in reſorting to the Church, (hauing no great or vrgent cauſe of abſence) they ſhall earneſtly call vpon them: and after due monition (if they amend not) they ſhall preſent them to the Ordinarie of the place. The choice of which perſons, viz. Churchwardens or Queſtmen, Sidemen or Aſſiſtants, ſhall bee yeerely made in Eaſter weeke.

Pariſh Clearks.

XCI.

Pariſh Clearks to be choſen by the Miniſter.

NO Pariſh Clearke vpon any vacation ſhall be choſen within the Citie of London, or elſewhere within the Prouince of Canterbury, but by the Parſon or Vicar: or where there is no Parſon or Vicar, by the Miniſter of that place for the time being: which choice ſhall be ſignified by the ſayd Miniſter, Vicar, or Parſon, to the Pariſhioners the next Sunday following in the time of diuine Seruice. And the ſayd Clerke ſhall be of twenty yeeres of age at the leaſt, and knowen to the ſayd Parſon, Vicar or Miniſter to be of honeſt conuerſation, and ſufficient for his reading, writing, and alſo for his competent ſkill in ſinging (if it may be.) And the ſayd Clerkes ſo choſen ſhall haue and receiue their auncient wages, without fraude or diminution, either at the handes of the Churchwardens at ſuch times as hath been

been accuſtomed, or by their owne collection accoꝛding to the moſt ancient cuſtome of euery Pariſh.

¶ Eccleſiaſticall Courts belonging to the Archbiſhops *Juriſdiction*.

XCII.

None to be cited into diuers Courts for probate of the ſame Will.

FOꝛaſmuch as many heretofoꝛe haue been by Appaꝛitoꝛs both of inferiour Courts, and of the Courts of the Archbiſhops Pꝛerogatiues much diſtracted, and diuerſly called, & ſummoned foꝛ pꝛobate of Willes, oꝛ to take adminiſtrations of the goods of perſons dying inteſtate, and are thereby vexed and grieued with many cauſeleſſe and vnneceſſary troubles, moleſtations, and expences: We conſtitute and appoint, That all Chancelloꝛs, Commiſſaries oꝛ Officials, oꝛ any other exerciſing Eccleſiaſticall Juriſdiction whatſoeuer, ſhall at the firſt charge with an

othe all perſons called, or voluntarily appearing before them for the probate of any will, or the Adminiſtration of any goods, whether they knowe, or (mooued by any ſpeciall inducement) doe firmely beleeue that the partie deceaſed (whoſe Teſtament or goods depend now in queſtion) had at the time of his or her death, any goods or good debts, in any other Dioceſſe or Dioceſſes, or Peculiar Juriſdiction within that Prouince, then in that wherein the ſayd partie dyed, amounting to the valew of fiue pounds. And if the ſayd perſon cited, or voluntarily appearing before him, ſhall vpon his oath affirme, That hee knoweth, or (as aforeſayd) firmely beleeueth, that the ſayd partie deceaſſed had goods or good debts in any other Dioceſſe or Dioceſſes, or peculiar Juriſdiction within the ſayd Prouince, to the valew aforeſayd, and particularly ſpecifie and declare the ſame: then ſhall hee preſently diſmiſſe him, not preſuming to intermeddle with the probate of the ſayd will, or to grant Adminiſtration of the goods of the partie ſo dying Inteſtate: neither ſhall he require or exact any other charges of the ſayd parties more then ſuch onely as are due for the Citation, and other Proceſſe had and vſed againſt the ſayde parties, vpon their further contumacie: but ſhall openly

penly and plainely declare and profeſſe, that the ſayd cauſe belongeth to the Prerogatiue of the Archbiſhop of that Prouince, willing and admoniſhing the partie to prooue the ſayd Will, or require Adminiſtration of the ſaid goods in the Court of the ſayd Prerogatiue, and to exhibite before him the ſayd Iudge the probate or adminiſtration vnder the ſeale of the Prerogatiue within fortie dayes next following. And if any Chancellor, Commiſſary, Officiall, or other exerciſing Eccleſiaſticall Iuriſdiction whatſoeuer, or any their Regiſter ſhall offend herein, let him be ipſo facto ſuſpended from the execution of his Office, not to bee abſolued or releaſed vntill hee haue reſtored to the partie all expenſes by him layd out contrary to the tenor of the premiſſes: and euery ſuch probate of any Teſtament or adminiſtration of goods ſo granted, ſhall be held void and fruſtrate to all effects of the Lawe whatſoeuer.

Furthermore we charge and inioyne, that the Regiſter of euery inferiour Iudge doe without all difficultie or delay, certifie and informe the Apparitor of the Prerogatiue Court, repairing vnto him once a moneth and no oftener, what Executors or Adminiſtrators haue beene by his ſaid Iudge for the incompetencie of his owne Iuriſdic-

tion, dismissed to the sayde Prerogatiue Court within the moneth next before, vnder paine of a moneths suspension from the exercise of his office for euery default therein. Prouided, that this Canon or any thing therein contained, bee not preiudiciall to any composition betweene the Archbishop and any Bishop or other Ordinary, nor to any inferiour Iudge that shall grant any probate of Testament or administration of goods to any partie that shall voluntarily desire it both out of the said inferior Court, and also out of the Prerogatiue. Prouided likewise, that if any man die in itinere, the goods that hee hath about him at that present, shall not cause his Testament or Administration to be liable vnto the Prerogatiue Court.

XCIII.

The Rate of *Bona notabilia* liable to the Prerogatiue Court.

FVrthermore we decree and ordaine, that no Iudge of the Archbishops Prerogatiue shall hencefoorward cite, or cause to bee cited ex officio any person whatsoeuer to any of the aforesaid intents, vnlesse he haue knowledge that the partie deceased was at the time of his death possessed of goods and chattels

chattels in ſome other Dioceſſe or Dioceſſes, or peculiar Juriſdiction within that Prouince then in that wherein hee died, amounting to the value of fiue pounds at the leaſt: decreeing and declaring, that who ſo hath not goods in diuers Dioceſſes to the ſaid ſumme or value, ſhal not be accounted to haue bona notabilia. Alwayes prouided, that this clauſe heere, and in the former Conſtitution mentioned, ſhall not preiudice thoſe Dioceſſes where by compoſition or cuſtome bona notabilia are rated at a greater ſumme. And if any Iudge of the Prerogatiue Court, or any his Surrogate or his Regiſter or Apparitor, ſhall cite or cauſe any perſon to be cited into his Court contrary to the tenor of the premiſſes, hee ſhall reſtore to the partie ſo cited all his coſts and charges, and the actes and proceedings in that behalfe ſhall be helde void and fruſtrate. Which expences if the ſaid Iudge or Regiſter or Apparitor ſhall refuſe accordingly to pay, he ſhalbe ſuſpended from the exerciſe of his Office vntill hee yeeld to the performance thereof.

None

XCIIII.

None to be cited into the Arches or Audience but dwellers within the Archbishops Dioceſſe or Peculiars.

NO Deane of the Arches nor Officiall of the Archbishops Conſiſtory, nor any Iudge of the Audience, ſhall henceforward in his owne name or in the name of the Archbiſhop either ex officio or at the inſtance of any partie, originally cite, ſummon, or any way compell, or procure to bee cited, ſummoned, or compelled, any perſon which dwelleth not within the particular Dioceſſe or Peculiar of the ſaid Archbiſhop, to appeare before him or any of them for any cauſe or matter whatſoeuer belonging to Eccleſiaſticall cognizance, without the licence of the Dioceſan firſt had and obtained in that behalfe, other then in ſuch particular caſes onely as are expreſſely excepted and reſerued in and by a Statute Ann. 23. H. 8. cap. 9. And if any of the ſaid Iudges ſhall offend herein, hee ſhall for euery ſuch offence be ſuſpended from the exerciſe of his office for the ſpace of three whole moneths.

The

XCV.

The Restraint of double Quarrels.

ALbeit by former Constitutions of the Church of England, euery Bishop hath had two moneths space to inquire and informe himselfe of the sufficiencie, and qualities of euery Minister, after hee hath bene presented vnto him to be instituted into any Benefice: yet for the auoiding of some inconueniences, we doe now abridge and reduce the said two moneths vnto eight and twentie dayes onely. In respect of which abridgement, wee doe ordaine and appoint, that no double Quarrell shall hereafter bee graunted out of any of the Archbishops Courts at the suite of any Minister whosoeuer, except hee shall first take his personall oath, that the said eight and twentie dayes at the least are expired, after hee first tendered his presentation to the Bishop, and that he refused to grant him Institution thereupon: or shall enter bonds with sufficient sureties to proue the same to be true, vnder paine of suspension of the Granter thereof from the execution of his Office, for halfe a yeere toties quoties to bee denounced by the said Archbishop, and Nullity of the double Quarrell aforesaid, so vnduely procured, to

all intents and purpoſes whatſoeuer. Alwayes prouided that within the ſaid eight and twentie dayes, the Biſhop ſhall not inſtitute any other to the preiudice of the ſaid partie before preſented, ſub pœna nullitatis.

XCVI.

Inhibitions not to be graunted without the ſubſcription of an Aduocate.

THat the Juriſdictions of Biſhops may be preſerued (as neere as may be) entier and free from preiudice, and that for the behoofe of the ſubiects of this land, better prouiſion bee made that hencefoorward they be not grieued with friuolous and wrongfull ſuites and moleſtations: It is ordained and prouided that no Inhibition ſhall bee granted out of any Court, belonging to the Archbiſhop of Canterbury at the inſtance of any partie, vnleſſe it bee ſubſcribed by an Aduocate practiſing in the ſayde Court: which the ſayd Aduocate ſhall do freely, not taking any fee for the ſame, except the partie proſecuting the ſuite, doe voluntarily beſtow ſome gratuitie vpon him for his counſell and aduice in the ſaid cauſe. The like courſe ſhall be vſed in graunting forth any Inhibition at the inſtance of any partie

tie by the Bishop or his Chancellor against the Archdeacon, or any other person exercising Ecclesiasticall Jurisdiction: and if in the Court or Consistory of any Bishop there be no Aduocate at all, then shal the subscription of a Proctor practising in the same Court be held sufficient.

XCVII.

Inhibitions not to be granted vntill the Appeale be exhibited to the Iudge.

IT is further ordered and decreed, that hencefoorward no Inhibition bee granted by occasion of any interlocutory decree, or in any cause of correction whatsoeuer, except vnder the forme aforesaid: and moreouer that before the going out of any such Inhibition, the Appeale it selfe, or a copy thereof (auouched by oath to be iust and true) bee exhibited to the Iudge, or his lawful Surrogate, whereby he may be fully informed, both of the qualitie of the crime, and of the cause of the grieuance, before the granting forth of the said Inhibition. And euery Appellant or his lawfull Proctor shall before the obteining of any such Inhibition, shew and exhibite to the Iudge or his Surrogate in writing, a true copy of those Acts where-

with he complaineth himselfe to be aggrie-ued, and from which hee appealeth, or shall take a corporall oath that he hath perfour-med his diligence, and true endeuour for the obteining of the same, and could not ob-teine it at the handes of the Register in the Countrey, or his Deputie, tendering him his fee. And if any Iudge or Register shall either procure or permit any Inhibition to be sealed, so as is said, contrary to the forme and limitation aboue specified, let him bee suspended from the execution of his office, for the space of three moneths: If any Proc-tor, or other person whatsoeuer by his ap-pointment, shall offend in any of the pre-misses, either by making or sending out any Inhibition, contrary to the tenour of the said premisses, let him be remoued from the exercise of his office for the space of a whole yeere without hope of release or restoring.

XCVIII.

Inhibitions not to be granted to facti-ous Appellants, vnlesse they first sub-scribe.

FOrasmuch as they who breake the lawes cannot in reason claime any benefite or protection by the same: wee decree and ap-point,

point, that after any Iudge Ecclesiasticall hath proceeded iudicially against obstinate and factious persons, and contemners of ceremonies, for not obseruing the Rites and Orders of the Church of England, or for contempt of publicke prayer, no Iudge ad quem, shall admit or allow any his or their Appeales, vnlesse he hauing first seene the originall Appeale, the partie appellant doe first personally promise and auow, that he will faithfully keepe and obserue all the Rites and Ceremonies of the Church of England, as also the prescript fourme of Common prayer: and do like wise subscribe to the three Articles formerly by vs specified and declared.

XCIX.

None to marry within the degrees prohibited.

NO persons shall marry within the degrees prohibited by the Lawes of God and expressed in a Table set forth by authoritie in the yeere of our Lord God 1563. and all mariages so made and contracted shalbe adiudged incestuous and vnlawfull, and consequently shall be dissolued as void from the beginning, and the parties so married shall by course of law be separated. And the

aforesaid table shalbe in euery Church publikely set vp and fixed at the charge of the Parish.

C.

None to marry vnder xxj. yeeres, without their Parents consent.

NO children vnder the age of one and twentie yeeres complete, shall contract themselues or marry without the consent of their Parents, or of their Guardians and Gouernors if their Parents be deceased.

C I.

By whome Licences to Marry without Bannes shall be granted, and to what sort of persons.

NO Faculty or Licence shalbe hence forth granted for solemnization of Matrimonie betwixt any parties, without thrice open publication of the Bannes according to the booke of Common prayer, by any person exercising any Ecclesiasticall Iurisdiction or claiming any Priuiledges in the right of their Churches: but the same shall be granted only by such as haue Episcopall authoritie, or the Commissarie for Faculties, Vicars generall of the Archbishops and

and Biſhops ſede plena or ſede vacante, the Guardian of the Spiritualties or Ordinaries exerciſing of right Epiſcopall Juriſdiction in their ſeuerall Juriſdictions reſpectiuely, and vnto ſuch perſons only as be of good ſtate and qualitie, and that vpon good caution and ſecuritie taken.

CII.

Securitie to be taken at the granting of ſuch Licences, and vnder what conditions.

THe ſecuritie mentioned ſhall containe theſe conditions: Firſt, that at the time of the granting euery ſuch Licence, there is not any impediment of precontract, conſanguinitie, affinitie, or other lawfull cauſe to hinder the ſayd mariage. Secondly, that there is not any controuerſie or ſuite depending in any Court before any Eccleſiaſticall Judge touching any contract or marriage of either of the ſaid parties with any other. Thirdly, that they haue obtained thereunto the expreſſe conſent of their parents (if they bee liuing) or otherwiſe of their Guardians or Gouernors. Laſtly, that they ſhall celebrate the ſaid Matrimonie publikely in the Parish Church or Chappel where one of them dwelleth, and in no other

ther place, and that betweene the houres of eight and twelue in the forenoone.

CIII.

Oathes to be taken for the Conditions.

FOr the auoiding of all fraud and collusion in the obtaining of such Licences and Dispensations: we further constitute and appoint, That before any License for the Celebration of Matrimony, without publication of Bannes be had or graunted, it shall appeare to the Iudge by the oathes of two sufficient witnesses, one of them to be knowen either to the Iudge himselfe, or to some other person of good reputation then present, and knowen likewise to the said Iudge, that the expresse consent of the Parents, or Parent if one be dead, or Gardians, or Gardian of the parties is thereunto had and obteined. And furthermore that one of the parties personally sweare, that he beleeueth there is no let or impediment of precontract, kindred, or affinitie, or of any other lawfull cause whatsoeuer, nor any suits commenced in any Ecclesiasticall Court, to barre or hinder the proceeding of the said Matrimony, according to the tenor of the foresaid License.

An

CIIII.

An exception for thoſe that are in Widowhood.

IF both the parties which are to marry being in Widowhood, doe ſeeke a Facultie for the forbearing of Bannes, then the clauſes before mentioned, requiring the parents conſents may bee omitted: but the Pariſhes where they dwell both ſhall bee expreſſed in the License, as alſo the Pariſh named where the Marriage ſhall bee celebrated. And if any Commiſſary for Faculties, Vicars generall, or other the ſayd Ordinaries ſhall offend in the premiſſes, or any part thereof, he ſhall for euery time ſo offending, be ſuſpended from the execution of his office for the ſpace of ſixe moneths: and euery ſuch License or Diſpenſation ſhall bee held voyd to all effects and purpoſes, as if there had neuer beene any ſuch graunted: and the parties marrying by vertue thereof, ſhal be ſubiect to the puniſhments which are appointed for clandeſtine Mariages.

CV.

No sentence for Diuorce to be giuen vpon the sole confession of the parties.

FOrasmuch as matrimoniall causes haue bene alwayes reckoned and reputed amongst the weightiest, and therefore require the greater cautiõ when they come to be handled and debated in iudgement, especially in causes wherein Matrimony hauing bene in the Church duely solemnized, is required vpon any suggestion or pretext whatsoeuer to be dissolued or annulled: We doe straightly charge and inioyne, that in all proceedings to Diuorce and Nullities of Matrimony, good circumspection and aduice be vsed, and that the trueth may (as farre as is possible) bee sifted out by the deposition of witnesses, and other lawfull proofes and euictions, and that credit bee not giuen to the sole confession of the parties themselues, howsoeuer taken vpon oath, either within or without the Court.

CVI.

No sentence for Diuorce to be giuen but in open Court.

NO sentence shall bee giuen either for separation à thoro & mensa, or for annulling

ing of pretended Matrimony, but in open Court, and in the seate of Justice, and that with the knowledge and consent either of the Archbishop within his Province, or of the Bishop within his Diocesse, or of the Deane of the Arches, the Judge of the Audience of Canterbury, or of the Vicars generall, or other principall Officials, or sede vacante of the Guardians of the spiritualties, or other Ordinaries to whom of right it appertaineth, in their severall Jurisdictions and Courts, and concerning them onely that are then dwelling under their iurisdictions.

CVII.

In all Sentences for Diuorce, bond to be taken for not marrying, during each others life.

IN all Sentences pronounced onely for Diuorce and Separation, à thoro & mensa, there shall bee a caution and restraint inserted in the Acte of the sayd Sentence, That the parties so separated, shall liue chastly and continently: neither shall they, during each others life, contract Matrimonie with other person. And for the better obseruing of this last clause the sayd Sentence

of Diuorce shall not be pronounced, vntill the partie or parties requiring the same, haue giuen good and sufficient caution and securitie into the Court, that they will not any way breake or transgresse the sayd restraint or prohibition.

CVIII.

The penaltie for Iudges offending in the premisses.

AND if any Iudge giuing Sentence of Diuorce or separation, shall not fully keepe and obserue the premisses, he shall be by the Archbishop of the Prouince, or by the Bishop of the Diocesse, suspended from the exercise of his Office for the space of a whole yeere, and the Sentence of Separation so giuen contrary to the forme aforesayd, shall be held voide to all intents and purposes of the Law, as if it had not at all been giuen or pronounced.

¶ Eccle-

¶ Eccleſiaſticall Courts belonging to the Iuriſdiction *of Biſhops and Archdeacons, and the proceedings in them.*

CIX.

Notorious Crimes and Scandals to bee certified into Eccleſiaſtical Courts by Preſentment.

If any offend their brethren, either by Adultery, whoredome, Inceſt, or Drunkenneſſe, or by Swearing, Ribaldrie, Uſury, or any other uncleanneſſe and wickednеſſe of life, the Churchwardens or Queſtmen and Sidemen in their next Preſentments to their Ordinaries, ſhall faithfully preſent all and euery of the ſayd offendors, to the intent that they and euery of them may bee puniſhed by the ſeueritie of the Lawes, according to their deſerts, and ſuch notorious offendors ſhall not be admitted to the holy Communion till they be reformed.

to

CX.

Schismaticks to be presented.

If the Churchwardens or Questmen or Assistants, do or shal know any man within their Parish or elsewhere, that is a hinderer of the word of God to be read or sincerely preached, or of the execution of these our Constitutions, or a fautor of any vsurped or forreine power by the Lawes of this Realme iustly rejected and taken away, or a defender of Popish & erroneous doctrine: they shall detect and present the same to the Bishop of the Diocese or Ordinary of the place to be censured and punished, according to such Ecclesiasticall Lawes as are prescribed in that behalfe.

CXI.

Disturbers of Diuine Seruice to bee presented.

In all visitations of Bishops and Archdeacons, the Churchwardens or Questmen and Sidemen shall truely and personally present the names of all those, which behaue themselues rudely and disorderly in the Church, or which by vntimely ringing

of Belles, by walking, talking, or other noise shal hinder the Minister or Preacher.

CXII.

Not Communicants at Easter to bee presented.

THe Minister, Churchwardens, Questmen and Assistants of euery Parish Church and Chappel, shall yeerely within fortie dayes after Easter exhibite to the Bishop or his Chancellor, the names and surnames of all the Parishioners, aswell men as women, which being of the age of sixteene yeeres, receiued not the Communion at Easter before.

CXIII.

Ministers may present.

BEcause it often commeth to passe, that the Churchwardens, Sidemen, Questmen, and such other persons of the Laytie as are to take care for the suppressing of sin and wickednesse in their seuerall Parishes, as much as in them lieth, by admonition, reprehension, and denunciation to their Ordinaries, doe forbeare to discharge their duties therein, either through feare of their Superiors, or through negligence, more

more then were fit, the licentiousnesse of these times considered: Wee ordaine, That hereafter euery Parson and Vicar, or in the lawfull absence of any Parson or Vicar, then their Curates and Substitutes may ioyne in euery presentment with the sayde Churchwardens, Sidemen, and the rest aboue mentioned at the times hereafter limited, if they the said Churchwardens and the rest will present such enormities as are apparant in the Parish: or if they will not, then euery such Parson and Vicar, or in their absence as aforesaid their Curats may themselues present to their Ordinaries at such times, and when else they thinke it meet, al such crimes as they haue in charge, or otherwise, as by them (being the persons that should haue the chiefe care for the suppressing of sinne and impietie in their Parishes) shall be thought to require due reformation. Prouided alwayes, that if any man confesse his secret and hidden sinnes to the Minister for the vnburthening of his conscience, and to receiue spirituall consolation and ease of minde from him, Wee do not any way bind the said Minister by this our Constitution, but doe straightly charge & admonish him, that he do not at any time reueale and make knowen to any person whatsoeuer, any crime or offence so committed to

his

his truſt and ſecrecie (except they bee ſuch crimes as by the lawes of this Realme his owne life may bee called into queſtion for concealing the ſame) vnder paine of irregularitie.

CXIIII.

Miniſters ſhall preſent Recuſants.

Euery Parſon, Vicar, or Curate, ſhall carefully informe themſelues euery yeere hereafter, how many Popiſh Recuſants, men, women and children aboue the age of thirteene yeeres: and how many being popiſhly giuen (who though they come to the Church, yet doe refuſe to receiue the Communion) are Inhabitants, or make their abode either as Sojourners or common Guests in any of their ſeuerall Pariſhes, and ſhal ſet downe their true names in writing (if they can learne them) or otherwiſe ſuch names as for the time they cary, diſtinguiſhing the abſolute Recuſants from halfe Recuſants: and the ſame ſo farre as they know or beleeue ſo diſtinguiſhed and ſet downe vnder their hands, ſhall truely preſent to their Ordinaries before the Feaſt of the Nativitie next enſuing, vnder paine of ſuſpenſion to bee inflicted vpon them by their ſaid Ordinaries, and ſo euery yeere

hereafter vpon the like paine, before the Feast of S. Iohn Baptist. Also we ordaine, that all such Ordinaries, Chancellours, Commissaries, Archdeacons, Officials, and all other Ecclesiasticall officers to whome the said presentments shalbe exhibited, shall likewise within one moneth after the receit of the same vnder paine of suspension by the Bishop from the execution of their offices for the space of halfe a yere (as often as they shall offend therein) deliuer them or cause to bee deliuered to the Bishop respectiuely: who shall also exhibite them to the Archbishop within fiue weekes, and the Archbishop to his Maiestie within other fiue weekes after hee hath receiued the said presentments.

CXV.

Ministers and Churchwardens not to be sued for Presenting.

WHereas for the reformation of criminous persons and disorders in euery Parish, the Churchwardens, Questmen, Sidemen, and such other Church officers are sworne, and the Minister charged to present as well the crimes and disorders committed by the said criminous persons, as also the common fame which is spread

abroad

abroad of them whereby they are often maligned and sometimes troubled by the sayd Delinquents or their friends: Wee doe admonish and exhort all Judges both Ecclesiasticall and Temporal, as they regard and reuerence the fearefull iudgement seate of the highest Judge, that they admit not in any of their Courts, any complaint, plea, suite or suits, against any such Churchwarden, Questmen, Sidemen, or other Church officers for making any such presentments, nor against any Minister for any presentment that he shall make: all the said presentments tending to the restraint of shamelesse impiette, and considering that the rules both of Charitie and Gouernment doe presume that they did nothing therein of malice, but for the discharge of their consciences.

CXVI.

Churchwardens not bound to present oftner then twice a yeere.

NO Churchwardens, Questmen, or Sidemen of any Parish, shall bee inforced to exhibite their presentments to any hauing Ecclesiasticall Jurisdiction aboue once in euery yeere, where it hath bene no oftner vsed, nor aboue twice in any Diocesse

whatsoeuer, except it be at the Bishops visitation. For the which presentments of euery Parish Church or Chappell, the Register of any Court where they are to bee exhibited, shal not receiue in one yere aboue foure pence, vnder paine for euery offence therein, of suspension from the execution of his office for the space of a moneth toties quoties. Prouided alwayes, that as good occasion shall require, it shall bee lawfull for euery Minister, Churchwardens, and Sidemen, to present offenders as oft as they shall thinke meete. And likewise for any godly disposed person, or for any Ecclesiasticall Iudge, vpon knowledge or notice giuen vnto him or them, of any enormious crime within his Iurisdiction, to moue the Minister, Churchwardens, or Sidemen, as they tender the glory of God and reformation of sinne, to present the same, if they shall finde sufficient cause to induce them thereunto, that it may bee in due time punished and reformed. Prouided that for these voluntary presentments, there bee no fee required or taken of them vnder the paine aforesaid.

Church-

CXVII.

Churchwardens not to be troubled for not presenting oftener then twice a yeere.

NO Church-wardens, Questmen, or Sidemen shalbe called or cited, but onely at the said time or times before limitted, to appeare before any Ecclesiasticall Judge whosoever, for refusing at other times to present any faults committed in their Parishes, and punishable by Ecclesiasticall lawes. Neither shall they nor any of them after their presentments exhibited at any of those times be any further troubled for the same, except upon manifest and evident proofe it may appeare that they did then willingly and wittingly omit to present some such publicke crime or crimes as they knew to be committed, or could not be ignorant that there was then a publicke fame of them, or unlesse there be very iust cause to call them for the explanation of their former presentments. In which case of wilfull omission, their Ordinaries shall proceed against them in such sort as in causes of wilfull periurie in a Court Ecclesiasticall it is already by Law prouided.

CXVIII.

The old Churchwardens to make their Presentments before the newe bee sworne.

THe office of all Churchwardens and Sidemen shall be reputed euer hereafter to continue vntill the new Churchwardens that shall succeede them, bee swoorne, which shall bee the first weeke after Easter, or some weeke following, according to the direction of the Ordinary. Which time so appointed, shall alwayes bee one of the two times in euery yeere, when the Minister and Churchwardens, and Sidemen of euery Parish shall exhibite to their seuerall Ordinaries, the presentments of such enormities as haue hapned in their Parishes since their last presentments. And this dutie they shal performe before the newly chosen Churchwardens and Sidemen bee swoorne, and shall not be suffered to passe ouer the said presentments to those that are newly come into office, and are by intendement ignorant of such crimes, vnder paine of those censures which are appointed for the reformation of such dalliers and dispensers with their owne consciences & oathes.

Conue-

CXIX.

Conuenient time to be aſsigned for framing Preſentments.

FOr the auoyding of ſuch inconueniences as heretofore haue happened by the haſty making of Billes of Preſentments, vpon the dayes of the Viſitation and Synods: it is ordered, That alwayes hereafter, euery Chancellor, Archdeacon, Commiſſary, and Officiall, and euery other perſon hauing Eccleſiaſticall Iuriſdiction at the ordinary time when the Churchwardens are ſworne: and the Archbiſhop and Biſhops when hee or they doe ſummon their viſitation, ſhall deliuer, vpcaule to be deliuered to the Churchwardens, Queſtmen, and Sidemen of euery Parith, or to ſome of them, ſuch Bookes of Articles as they or any of them ſhall require for the yeere following the ſayd Churchwardens, Queſtmen and Sidemen to ground their Preſentments vpon at ſuch times as they are to exhibite them. In which Booke ſhall be contained the forme of the othe which muſt be taken immediatly before euery ſuch Preſentment: to the intent that hauing before hand time ſufficient, not onely to perule and conſider what their ſayd oth ſhalbe, but

the

the Articles also whereupon they are to ground their Presentments, they may frame them at home both aduisedly and truely to the discharge of their owne consciences, after they are sworne, as becommeth honest and godly men.

CXX.

None to bee cited into Ecclesiasticall Courts by Processe of *Quorum nomina.*

NO Bishop, Chancellor, Archdeacon, Officiall or other Ecclesiasticall Iudge shall suffer any generall Processes of Quorum nomina, to be sent out of his Court: except the names of all such as thereby are to be cited, shall bee first expressly entred by the hand of the Register, or his Deputie, under the said Processes, and the sayd Processes and names be first subscribed by the Iudge, or his Deputie, and his Seale thereto affixed.

CXXI.

None to bee cited into seuerall Courts for one crime.

IN places where the Bishop and Archdeacon, doe by prescription or composition visite

visite at seuerall times in one and the same yeere, lest for one and the selfe same fault any of his Maiesties Subiects should bee challenged and molested in diuers Ecclesiasticall Courts: Wee order and appoint, That euery Archdeacon, or his Officiall, within one moneth after the visitation ended that yeere, and the Presentments receiued, shal certifie vnder his Hand and Seale, to the Bishop or his Chancellor, the names and Crimes of all such as are detected and presented in his sayd visitation, to the end the Chancellor shall thencefoorth forbeare to conuent any person for any Crime or cause so detected or presented to the Archdeacon. And the Chancellor within the like time after the Bishops visitation ended, and Presentments receiued, shall vnder his Hand and Seale signifie to the Archdeacon or his Officiall, the names and crimes of all such persons which shall bee detected or presented vnto him in that visitation, to the same intent as is aforesayd. And if these Officers shall not certifie each other as is here prescribed, or after such certificate shall intermeddle with the crimes or persons detected & presented in each others visitation: then euery of them so offending shall bee suspended from all exercise of his Iurisdiction, by the Bishop of the Diocesse,

vntill he shall repay the costs and expences which the parties grieued haue been at by that vexation.

CXXII.

No Sentence of depriuation or deposition to be pronounced against a Minister, but by the Bishop.

WHen any Minister is complained of in any Ecclesiasticall Court belonging to any Bishop of this Prouince for any crime, the Chancellor, Commissarie, Officiall or any other hauing Ecclesiastical Iurisdiction to whom it shall appertaine, shall expedite the cause by Proceses and other proceedings against him: and vpon contumacie for not appearing, shall first suspend him, and afterward his contumacie continuing, excommunicate him. But if he appeare and submit himselfe to the course of Lawe, then the matter being ready for Sentence, and the merits of his offence exacting by Lawe, either depriuation from his liuing, or deposition from the ministery, no such sentence shall be pronounced by any person whosoeuer, but only by the Bishop, with the assistance of his Chancellor, the Deane, (if they may conueniently be had)

and

and some of the Prebendaries, if the Court be kept neere the Cathedrall Church, or of the Archdeacon if he may bee had conueniently, and two other at the least graue Ministers and Preachers to bee called by the Bishop, when the Court is kept in other places.

CXXIII.

No Act to be sped but in open Court.

NO Chancellor, Commissary, Archdeacon, Officiall, or any other person vsing Ecclesiasticall Iurisdiction whosoeuer, shal sped any iudiciall Act, either of contentious or voluntary Iurisdiction, except hee haue the ordinary Register of that Court, or his lawfull Deputie: or if hee or they will not, or cannot be present, then such persons as by lawe are allowed in that behalfe to write or speede the same, vnder paine of suspension *ipso facto*.

CXXIIII.

No Court to haue more then one Seale.

NO Chancellor, Commissarie, Archdeacon, Officiall, or any other exercising Ecclesiasticall Iurisdiction, shall without the Bishops consent haue any moe Seales

then one for the sealing of all matters incident to his Office. Which Seale shall alwayes be kept either by himselfe, or by his lawfull Substitute exercising Iurisdiction for him, and remaining within the Iurisdiction of the said Iudge, or in the Citie or principall Towne of the Countie. This Seale shall containe the title of that Iurisdiction which euery of the said Iudges or their Deputies doe execute.

CXXV.

Conuenient places to be chosen for the keeping of Courts.

ALl Chancellors, Commissaries, Archdeacons, Officials, and all other exercising Ecclesiasticall Iurisdiction, shall appoint such meete places for the keeping of their Courts by the assignement or approbation of the Bishop of the Diocesse, as shall be conuenient for entertainment of those that are to make their apparance there, and most indifferent for their trauell. And likewise they shall keepe and end their Courts in such conuenient time, as euery man may returne homewards in as due season as may be.

Peculiar

CXXVI.

Peculiar and inferiour Courts to exhibite the originall copies of Willes into the Biſhops Regiſtrie.

WHereas Deanes, Archdeacons, Prebendaries, Parſons, Vicars, and others exerciſing Eccleſiaſtical Juriſdiction, claime libertie to prooue the laſt Willes and Teſtaments of perſons deceaſed within their ſeuerall Juriſdictions, hauing no knowen nor certaine Regiſters, nor publike place to keepe their Records in, by reaſon whereof many Willes, Rights, and Legacies vpon the death or change of ſuch perſons and their priuate Notaries, miſcarry and cannot be found, to the great prejudice of his Maieſties ſubiects: Wee therefore order and inioyne, that all ſuch Poſſeſſours and Exerciſers of peculiar Juriſdiction, ſhall once in euery yeere exhibite into the publicke Regiſtrie of the Biſhop of the Dioceſſe, or of the Deane and Chapter vnder whoſe Juriſdiction the ſayd Peculiars are, euery originall Teſtament of euery perſon in that time deceaſed and by them prooued in their ſeuerall peculiar Juriſdictions, or a true Copy of euery ſuch Teſtament exami-

ned, subscribed, and sealed by the peculiar Judge and his Notarie. Otherwise if any of them faile so to doe, the Bishop of the Diocesse or Deane & Chapter vnto whome the said Jurisdictions doe respectiuely belong, shall suspend the sayd parties and euery of them from the exercise of all such Peculiar Jurisdiction, vntill they haue performed this our Constitution.

¶ Iudges Ecclesiasticall and their Surrogates.

CXXVII.

The qualitie and oath of Iudges.

NO man shall hereafter bee admitted a Chancellor, Commissary, or Officiall, to exercise any Ecclesiasticall Jurisdiction, except he be of the full age of fiue and twentie yeeres at the least, and one that is learned in the Ciuill and Ecclesiasticall Lawes, and is at the least a Master of Arts, or Bachelor of Law, and is reasonably well practised in the course thereof, as likewise well affected, and zealously

loully bent to Religion, touching whose life and manners no euill example is had, and except before he enter into or execute any such office, hee shall take the oath of the Kings Supremacie in the presence of the Bishop, or in the open Court, and shall subscribe to the Articles of Religion agreed vpon in the Conuocation in the yeere one thousand fiue hundred sixtie and two, and shall also sweare that hee will to the vttermost of his vnderstanding, deale vprightly and iustly in his Office, without respect or fauour of reward: the said oathes and subscription to be recorded by a Register then present. And likewise all Chancellors, Commissaries, Officials, Registers, and all other that doe now possesse or execute any places of Ecclesiasticall Iurisdiction, or seruice, shall before Christmas next in the presence of the Archbishop or Bishop, or in open Court, vnder whom or where they exercise their offices, take the same oathes and subscribe as before is said: or vpon refusall so to doe, shall be suspended from the execution of their Offices, vntill they shall take the said oathes, and subscribe as aforesaid.

The

CXXVIII.

The qualitie of Surrogats.

NO Chauncellor, Commissary, Archdeacon, Officiall, or any other person vsing Ecclesiasticall Iurisdiction, shall at any time substitute in their absence any to keepe any Court for them, except hee be either a graue Minister and a Graduate, or a licensed publike Preacher, and a beneficed man neere the place where the Courts are kept, or a Bachelor of Law, or a Master of Arts at least, who hath some skill in the Ciuill and Ecclesiasticall Law, and is a fauourer of true Religion, and a man of modest and honest conuersation, vnder paine of suspension for euery time that they offend therein from the execution of their offices for the space of three moneths toties quoties And hee likewise that is deputed, being not qualified as is before expressed, and yet shall presume to be a substitute to any Iudge, and shall keepe any Court as is aforesaid, shall vndergoe the same censure in maner and forme as is before expressed.

Proctors.

CXXIX.

Proctors not to retaine cauſes without the lawfull aſsignement of the parties.

NOne ſhall Procure in any cauſe whatſoeuer, vnleſſe hee be thereunto conſtituted and appointed by the partie himſelfe, either before the Iudge, and by Act in Court, or vnleſſe in the beginning of the ſuit, hee be by a true and ſufficient Proxie thereunto warranted and enabled. We call that Proxie ſufficient, which is ſtrengthened and confirmed by ſome authenticall Seale, the parties approbation, or at leaſt his ratification there withall concurring. All which Proxies ſhall bee forthwith by the ſaid Proctors exhibited into the Court, and be ſafely kept and preſerued by the Regiſter in the publike Regiſtry of the ſaid Court. And if any Regiſter or Proctor ſhall offend herein, hee ſhall be ſecluded from the exerciſe of his office for the ſpace of two moneths without hope of releaſe or reſtoring.

CXXX.

Proctors not to retaine causes without the counsell of an Aduocate.

FOr lessening and abridging the multitude of suits and contentions, as also for preuenting the complaints of Suiters in Courtes Ecclesiasticall, who many times are ouerthrowen by the ouersight and negligence, or by the ignorance and insufficiencie of Proctors, and likewise for the furtherance and increase of learning, and the aduancement of Ciuill and Canon Law, following the laudable customes heretofore obserued in the Courts pertaining to the Archbishop of Canturbury, Wee will and ordaine, that no Proctor exercising in any of them shall intertaine any cause whatsoeuer, and keepe and retaine the same for two Court dayes, without the counsell and aduise of an Aduocate, vnder paine of a yeeres suspension from his practise: neither shall the Iudge haue power to release or mitigate the sayd penalty without expresse Mandate and Authoritie from the Archbishop aforesaid.

CXXXI.

Proctors not to conclude in any cauſe without the knowledge of an Aduocate.

NO Iudge in any of the ſayd Courts of the Archbiſhop, ſhall admit any Libell, or any other matter without the aduice of an Aduocate admitted to practiſe in the ſame Court, or without his ſubſcription: neither ſhal any Proctor conclude any cauſe depending, without the knowledge of the Aduocate retained and feed in the cauſe: which if any Proctor ſhall doe, or procure to be done, or ſhall by any colour whatſoever defraud the Aduocate of his duetie or Fee, or ſhall be negligent in repairing to the Aduocate, and requiring his aduice what courſe is to be taken in the cauſe, he ſhall be ſuſpended from all practiſe for the ſpace of ſixe moneths, without hope of being thereunto reſtored before the ſayd terme be fully complete.

CXXXII.

Proctors prohibited the oath *In animam Domini ſui.*

FOraſmuch as in the probate of Teſtaments and Suits for Adminiſtration of the goods of perſons dying Inteſtate, the oath vſually taken by Proctors of Courts In animam conſtituentis, is found to be inconuenient: Wee doe therefore decree and ordaine, That euery Executor or Suitor for Adminiſtration, ſhall perſonally repaire to the Judge in that behalfe, or his Surrogate, and in his owne perſon (and not by Proctor) take the oath accuſtomed in theſe caſes. But if by reaſon of ſickneſſe or age, or any other iuſt let or impediment, he be not able to make his perſonall appearance before the Judge: it ſhall be lawfull for the Judge (there being faith firſt made by a credible perſon, of the trueth of his ſayd hinderance or impediment) to grant a Commiſſion to ſome graue Eccleſiaſticall perſon abiding neere the partie aforeſayd, whereby he ſhall giue power and authoritie to the ſayd Eccleſiaſticall perſon in his ſtead, to miniſter the accuſtomed oath aboue mentioned, to the Executor or Suitor for ſuch Admi-

Administration, requiring his sayd Substitute, that by a faithfull and trustie messenger he certifie the sayd Iudge truely and faithfully what he hath done therein. Lastly, we ordaine and appoint, That no Iudge or Register, shall in any wise receiue for the Writing, Drawing, or Sealing of any such Commission, aboue the summe of sixe shillings and eight pence: whereof one moity to be for the Iudge, and the other for the Register of the sayd Court.

CXXXIII.

Proctors not to bee clamorous in Court.

FOrasmuch as it is found by experience, that the lowd and confused cries and clamours of Proctors in the Courts of the Archbishop, are not onely troublesome and offensiue to the Iudges and Aduocates, but also giue occasion to the standers by, of contempt and calumnie toward the Court it selfe: that more respect may bee had to the dignity of the Iudge, then hertofore, and that causes may more easily and commodiously be handled and dispatched, We charge and enioyne, That all Proctors in the said Courts doe especially intend, that the Acts

be faithfully entred and set downe by the Register, according to the aduice and direction of the Aduocate, that the said Proctors refraine lowde speach and brabling, and behaue themselues quietly and modestly, and that when either the Iudges or Aduocates, or any of them, shall happen to speake, they presently be silent vpon paine of silencing for two whole Termes then immediatly following euery such offence of theirs. And if any of them shall the second time offend herein, and after due monition shall not reforme himselfe: let him be for euer remoued from his practise.

Regisiters.

CXXXIIII.

Abuses to be reformed in Regisiters.

IF any Register, or his Deputie, or Substitute whatsoeuer, shall receiue any Certificate without the knowledge and consent of the Iudge of the Court, or willingly omitte to cause any person cited to appeare vpon any Court day to be called, or vnduely put off, and deferre

deferre the examination of witnesses to be examined by a day set and assigned by the Judge, or doe not obey and observe the iudiciall and lawfull monition of the sayde Judge, or omit to write, or cause to be written such Citations and Decrees, as are to be put in execution and set foorth before the next Court day, or shall not cause all Testaments exhibited into his Office to bee registred within a conuenient time, or shall set downe or enact as decreed by the Judge any thing false, or conceited by himselfe, and not so ordered or decreed by the Judge, or in the transmission of Processes to the Judge Ad quem, shall adde, or insert any falsehood or vntrueth, or omit any thing therein, either by cunning, or by grosse negligence, or in causes of Instance, or promoted of office, shall receiue any reward in fauour of either partie, or bee of counsell directly or indirectly with either of the parties in Suite, or in the execution of their Office, shall doe ought else maliciously, or fraudulently, whereby the sayd Ecclesiasticall Judge or his proceedings may bee slandered or defamed: Wee will and ordaine that the sayd Register or his Deputie or Substitute, offending in all, or any of the premisses, shall by the Bishop of the Diocese bee suspended from the exercise of his

his Office, for the space of one, two, or three moneths, or more, according to the qualitie of his offence, and that the sayde Bishop shall assigne some other publike Notary to execute and discharge all things perteining to his Office, during the time of his sayd Suspension.

CXXXV.

A certaine rate of Fees due to all Ecclesiasticall Officers.

NO Bishop, Suffragan, Chancellor, Commissary, Archdeacon, Officiall, nor any other exercising Ecclesiasticall Jurisdiction whatsoeuer, nor any Register of any Ecclesiasticall Courts, nor any Minister belonging to any of the sayde Officers or Courts, shall hereafter for any cause incident to their seuerall Offices, take or receiue any other or greater Fees, then such as were certified to the most reuerend Father in God Iohn late Archbishop of Canterbury, in the yeere of our Lord God, one thousand fiue hundred ninetie and seuen, and were by him ratified and approued, vnder paine that euery such Iudge, Officer, or Minister offending herein shal be suspended from the exercise of their seueral offices, for

for the space of fiue moneths for euery such offence. Alwayes prouided that if any question shall arise concerning the certainetie of the said Fees or any of them: then those Fees shall bee held for lawfull, which the Archbishop of Canterbury for the time being shal vnder his hand approue, except the Statutes of this Realme before made, doe in any particular case expresse some other Fees to bee due. Prouided furthermore, that no Fee or money shalbe receiued either by the Archbishop, or any Bishop, or Suffragan, either directly or indirectly, for admitting of any into sacred Orders, nor that any other person or persons vnder the said Archbishop, Bishop, or Suffragan, shall for Parchment, Writing, Ware, Sealing, or any other respect thereunto appertaining, take aboue ten shillings, vnder such paines as are already by Law prescribed.

CXXXVI.

A Table of the Rates of Fees to be set vp in Courts and Registries.

WEe doe likewise constitute and appoint, that the Registers belonging to euery such Ecclesiasticall Iudge, shall place two Tables, conteyning the seuerall

Rates, and Summes of all the said Fees: one in the vsuall place of Consistory where the Court is kept, and the other in his Registry, and both of them in such sort, as euery man whom it concerneth may without difficultie come to the view and perusall thereof, and take a Copy of them: the same Tables to be so set vp before the Feast of the Nativitie next ensuing. And if any Register shall faile to place the sayd Tables according to the tenor hereof, he shall bee suspended from the execution of his Office, vntill he cause the same to bee accordingly done: and the said Tables being once set vp, if hee shall at any time remoue or suffer the same to be removed, hidden, or any way hindered from light, contrary to the true meaning of this Constitution, hee shall for euery such offence bee suspended from the exercise of his Office for the space of sixe moneths.

CXXXVII.

The whole Fees for shewing Letters of Orders, and other Licenses due but once in euery Bishops time.

FOrasmuch as a chiefe and principall cause and vse of visitation is, that the Bishop,

Bishop, Archdeacon, or other assigned to visite, may get some good knowledge of the State, Sufficiencie, and Abilitie of the Clergie, and other persons whom they are to visite: We thinke it conuenient that euery Parson, Vicar, Curate, Schoolemaster, or other person licenced whosoeuer, doe at the Bishops first visitation, or at the next visitation after his Admission, shewe and exhibite vnto him his Letters of Orders, Institution, and Induction, and all other his Dispensations, Licences, or Faculties whatsoeuer, to bee by the sayd Bishop either allowed, or (if there be iust cause) disallowed and reiected: and being by him approued, to be as the Custome is, signed by the Register, and that the whole Fees accustomed to bee paid in the visitations in respect of the premisses, be paid onely once in the whole time of euery Bishop, and afterwards, but halfe of the sayde accustomed Fees, in euery other visitation during the said Bishops continuance.

Apparitors.

CXXXVIII.

The number of Apparitors restrained.

FOrasmuch as wee are desirous to redresse such abuses and aggrieuances as are sayd to grow by Somners or Apparitors: wee thinke it meete that the multitude of Apparitors be (as much as is possible) abridged or restrained. Wherefore we decree and ordaine, that no Bishop or Archdeacon, or their vicars or Officials or other inferiour Ordinaries, shall depute or haue more Apparitors to serue in their Iurisdictions respectiuely, then either they or their predecessours were accustomed to haue thirtie yeeres before the publishing of these our present Constitutions. All which Apparitors shall by themselues faithfully execute their offices, neither shall they by any colour or pretence whatsoeuer cause or suffer their Mandats to be executed by any Messengers or Substitutes,

stitutes, vnlesse it be vpon some good cause to be first knowen and approued by the Ordinary of the place. Moreouer, they shall not take vpon them the office of Promoters or Informers for the Court, neither shall they exact more or greater Fees then are in these our Constitutions formerly prescribed. And if either the number of the Apparitors deputed shal exceede the foresaid limitation, or any of the sayd Apparitors shall offend in any of the premisses, the persons deputing them, if they be Bishops, shall vpon admonition of their superiour discharge the persons exceeding the number so limitted: if inferiour Ordinaries, they shall bee suspended from the execution of their office vntill they haue dismissed the Apparitors by them so deputed, and the parties themselues so deputed shall for euer be remooued from the office of Apparitors: and if being so remooued, they desist not from the exercise of their said Offices, let them be punished by Ecclesiasticall censures as persons contumacious. Prouided, that if vpon experience the number of the said Apparitors be too great in any Diocesse in the iudgement of the Archbishop of Canterbury for the time being, they shall by him be so abridged as he shall thinke meet and conuenient.

Authoritie of Synodes.

CXXXIX.

A Nationall Synode the Church representatiue.

WHosoeuer shall hereafter affirme, that the sacred Synode of this Nation in the name of Christ and by the Kings Authoritie assembled, is not the true Church of England by representation, let him be excommunicated, and not restored vntill hee repent and publikely reuoke that his wicked error.

Synodes

CXL.

Synodes conclude as well the abſent as the preſent.

WHoſoeuer ſhall affirme, that no manner of perſon either of the Clergie or Laity, not being themſelues particularly aſſembled in the ſaid ſacred Synode, are to be ſubiect to the Decrees thereof in cauſes Eccleſiaſticall (made and ratified by the Kings Maieſties ſupreme Authoritie) as not hauing giuen their voices vnto them: let him be Excommunicated, and not reſtored vntill hee repent and publikely reuoke that his wicked error.

CXLI.

Deprauers of the Synode cenſured.

WHoſoeuer ſhall hereafter affirme, That the ſacred Synode aſſembled as aforeſaid, was a company of ſuch perſons as did conſpire together againſt godly and religious profeſſors of the Goſpel: and that therefore both they and their proceedings in making of Canons and Conſtitutions

tions in causes Ecclesiasticall by the Kings authoritie as aforesaid, ought to bee despised and contemned, the same being ratified, confirmed, and enioyned by the sayd Regall Power, Supremacie, and Authoritie: let them be Excommunicated and not released, vntill they repent and publikely reuoke that their wicked error.

Wee

WE of our princely inclination, and Royall care for the maintenance of the present Estate and Gouernement of the Church of ENGLAND, by the Lawes of this our Realme now setled and established, hauing diligently, with great contentment and comfort, read and considered of all these their sayd Canons, Orders, Ordinances, and Constitutions agreed vpon, as is before expressed, and finding the same such, as Wee are perswaded will bee very profitable, not onely to our Clergie, but to the whole Church of this our kingdome, and to all the true members of it, (if they be well obserued) Haue therefore for Vs, our

Heires, and lawfull Succeſſours, of our eſpeciall Grace, certaine Knowledge, and meere Motion giuen, and by theſe preſents doe giue our Royall aſſent, according to the forme of the ſayd Statute or Acte of Parliament aforeſayd, to all and euery of the ſaid Canons, Orders, Ordinances, and Conſtitutions, and to all and euery thing in them contained, as they are before written.

And furthermore, Wee doe not onely by our ſayd Prerogatiue Royall, and ſupreme Authoritie in cauſes Eccleſiaſticall, ratifie, confirme, and eſtabliſh by theſe our Letters Patents, the ſayd Canons, Orders, Ordinances, and Conſtitutions, and all and euery thing in them contayned,

as is aforesayd: but doe likewise propound, publish, and straightly enioyne and command by our sayd Authority, and by these our Letters Patents, the same to bee diligently obserued, executed, and equally kept by all our louing Subiects of this our kingdome, both within the Prouince of CANTERBVRIE *and* YORKE, *in all points wherein they doe or may concerne euery or any of them, according to this our will and pleasure hereby signified and expressed: and that likewise for the better obseruation of them, euery Minister, by what name or title soeuer he be called, shall in the Parish Church or Chappell where he hath charge, reade all the sayd Canons, Orders, Ordinan-*

ces and Constitutions once euery yere, vpon some Sundayes or Holy dayes, in the afternoone before Diuine Seruice, diuiding the same in such sort, as that the one halfe may bee read one day, and the other another day: the Booke of the sayd Canons to be prouided at the charge of the Parish betwixt this and the Feast of the Natiuity of our Lord God next ensuing: Straightly charging and commaunding all Archbishops, Bishops, and all other that exercise any Ecclesiasticall Iurisdiction within this Realme, euery man in his place, to see, and procure (so much as in them lieth) all and euery of the same Canons, Orders, Ordinances and Constitutions to be in all poynts duely obserued, not

sparing

ſparing to execute the Penalties in them ſeuerally mentioned, vpon any that ſhal wittingly or wilfully breake, or neglect to obſerue the ſame, as they tender the honour of God, the peace of the Church, the tranquilitie of the Kingdome, and their dueties and ſeruice to Vs their King and Soue-reigne.

In witneſſe, &c.

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